PRIMITIVE SOCIETY

EDWIN SIDNEY HARTLAND

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THE BEGINNINGS OF THE FAMILY & THE RECKONING OF DESCENT

BY

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CHAPTER I

INTRODUCTORY

THE history of the evolution of human society from its remotest beginnings is one of the most interesting problems confronting modern anthropology. What was the social condition of the race when man first began to be man? How and along what lines did it develop? And were the direction and the stages of its development always and everywhere the same? The speculations of philosophers, the visions of poets, the revelations of more than one religion were concentrated for many ages upon these questions with dogmatic insistence and futile energy. In one thing only were they agreed: mankind started on its tragic career in happiness and innocence until corrupted by some external influence that plunged the race into a succession of misfortunes, sorrows and struggles in which it has been entangled down to the present hour. Science during the last two generations, refusing to be bound by preconceived opinions and disdaining all limits to its inquiries, has attacked the problem from another side. By the collection and collation of facts, discarding old dogmas and basing its inferences on ascertained customs, it has succeeded in discovering

and formulating much of the social history of humanity. And though it has not yet succeeded in completely unveiling the origins of society, it has revealed the stages and conditions through which many branches of the race have passed, and has shown that if those origins are ever to be known it will only be by means of the fuller investigation of facts which have already rendered up their secret. Its conclusions of course are, like all the conclusions of science, provisional and liable to be ever revised in the light of fuller knowledge and more penetrating discussion. Its main lines, however, rest not on dogma or speculation, but upon evidence repeatedly tested, and not lightly to be set aside.

It is proposed in the following pages to present in accordance with this evidence a summary of one stage through which not necessarily the whole human race, but certainly a large part of it, has passed, or is actually passing, in its social evolution, namely, the stage in which the mother alone, and not the father, is regarded as the stock of descent and the source of kinship. To understand this it will be requisite to exhibit and discuss shortly the previous stages, so far as they can be inferred from the evidence at our command.

The mother as the sole foundation of society is so alien from the habits of thought of civilized nations of European descent that up to the seventh decade of the last century the subject had hardly been seriously considered. At most it was dismissed as an aberrant system practised by very few peoples. Apart from the unscientific speculations of the seventeenth and eighteenth centuries, indeed, when Sir Henry Maine published in the year 1861 his remarkable work on *Ancient Law*, little attention had been paid to the growth and development of human society. The science of anthropology was then in its infancy.

Evolution had only just been announced by Darwin as the law of the external world; and it had not as yet been applied by methodical investigation to the history of human institutions. In this country (Great Britain) Maine was the first to discover its importance. He was a lawyer whose life had been spent in India. The study of Hindu institutions had impressed him with their similarity to those of ancient Rome. Although he saw that the law of the Twelve Tables was the earliest point at which the juridical history could be taken up, because it was the first written statute, he saw equally clearly that it presupposed a long line of immemorial unwritten tradition, during which custom was evolving and gradually hardening into definite law. But familiar only with the ancient customs and codes of Rome, of the Hebrews, and of the Hindus, he based on these his scientific exposition of the origin and evolution of social organization. These codes were framed for societies in the patriarchal stage, when descent was traced through the father and the father was the more or less absolute ruler of the family. It did not occur to him to go behind the codes to the customs of an earlier date, for the purpose of ascertaining whether patriarchal institutions had always existed among the peoples of Rome, of India and of Palestine; still less to enquire, except in a very cursory manner, how other peoples were organized. Consequently he lays it down that "the effect of the evidence derived from comparative jurisprudence is to establish that view of the primeval condition of the human race which is known as the Patriarchal Theory." [1] He delineates a society organized on the patriarchal model, "as collected from the early chapters in Genesis," thus:

[1] Maine, 122.

"The eldest male parent—the eldest ascendant—is absolutely supreme in his household. His dominion extends to life and death, and is as unqualified over his children and their houses as over his slaves; indeed, the relations of sonship and serfdom appear to differ in little beyond the higher capacity which the child in blood possesses of becoming one day the head of a family himself. The flocks and herds of the children are the flocks and herds of the father; and the possessions of the parent, which he holds in a representative rather than in a proprietary character, are equally divided at his death among his descendants in the first degree, the eldest son sometimes receiving a double share under the name of birthright, but more generally endowed with no hereditary advantage beyond an honorary precedence." [1]

Such is Sir Henry Maine's generalization. It will be observed that the emphasis is laid on the family property and the paternal power—a power which reached its apogee in early Roman law, and is technically known as the *Patria Potestas*. Later, in explaining the *Patria Potestas*, he arrives almost incidentally at the foundation of this form of social organization—namely, the reckoning of kinship exclusively on the paternal side. "A female name closes the branch or twig of the genealogy in which it occurs. None of the descendants of a female line are included in the primitive notion of family relationship." [2] The result then of his enquiries is that the *primitive* method of reckoning descent is through men only, that the power and property of a family are vested in its father as head, and that the vesting of this power and property is derived from the method of reckoning descent.

[1] Maine, 123. [2] *Ibid.* 148.

The same year that was signalized by the publication of *Ancient Law* witnessed also the publication of a work maintaining an opinion exactly the contrary of Sir Henry Maine's. An eminent Swiss lawyer, named J. J. Bachofen, had come to the conclusion, from an investigation of classical literature, that the earliest method of reckoning descent was through women only, and that the earliest organized rule was matriarchal and not patriarchal. His book is entitled *Das Mutterrecht,* the name which he gave to this polity, conveniently Englished as Mother-right. It is, he declares, an historical phenomenon that had hitherto been considered by few and investigated by nobody in its entirety. He starts from Herodotus' account of the Lycians: "One custom they have that is peculiar to them, and in which they agree with no other people, that is, they call themselves after their mothers and not after their fathers; and if one ask his neighbour who he is he will state his mother's parentage and enumerate his mother's fore-mothers; and if a woman who is a citizen wed a slave her children are accounted of gentle birth, whereas if a man who is a citizen, even if the first man among them, have an alien wife or concubine, the children that may be born are without civil rights."[1] From this example of matrilineal descent, attested by the Father of History and declared by him to be unique, the jurist proceeds to examine the mythical history and customs of various states of antiquity (travelling as far to the east as India and Central Asia, and to the west as far as the Cantabrians of Spain) and illustrating them wherever possible by works of art preserved in museums. He has no difficulty in showing that the myths and customs can in many cases

[1] Herod. i. 173.

be explained by the hypothesis of a social condition in which kinship was reckoned only through women, and which must have preceded the reckoning of patrilineal descent posited by Maine as the primitive condition of mankind. But he goes further and with the aid of traditions of the Amazons and other stories comes to the conclusion that the primitive condition was one of promiscuity, and that it was ended by an uprising of the women, who were weary of the unbridled passions of men and insisted on the protection of marriage. They resorted to physical force, and banding themselves together obtained the victory. With it they established the institution of marriage (by which he apparently means monogamy) and the reckoning of maternal lineage only ; and they won for their sex political as well as social supremacy. His argument is learned, but tiresome and full of repetitions.[1] It is encumbered also by views, quite untenable to-day, of the evolution of Greek religion. He was a pioneer, who lived before the discoveries and the studies that during the last thirty years have thrown so much light on the early history of Greece and other parts of the Mediterranean basin. His further researches on the subject, embodied in *Die Sage von Tanaquil* (1870) and other works, though inportant in the discussion of other evidence from classical antiquity never brought him beyond the point of view of his earlier work.

J. F. McLennan also was a lawyer. In writing the article on " Law " for the eighth edition of the *Encyclopædia Britannica,* his attention was drawn to the existence of institutions and customs in various parts of the world inconsistent with the patriarchal

[1] This summary of Bachofen's conclusions is collected especially from his preface to *Das Mutterrecht.*

theory. This led him subsequently to further investigation, during which "the meaning and origin of the form of capture in marriage ceremonies" came under consideration. The course of his reasoning upon a wide survey of cases, occurring alike in savage and civilized communities, pointed to matrilineal, rather than patrilineal, descent as the primitive form of social organization. Bachofen's work was unknown to him; and the result of his labours, published in 1865 under the title of *Primitive Marriage*, was therefore independent of that of the continental jurist. Like Bachofen, he was a pioneer in a very difficult region of human history—if that may be called history which is concerned so largely with peoples who have no written records. Unlike Bachofen, however, but like Maine, he had a gift of clear and forcible exposition, and he was free from the burden of arbitrary and fanciful mythological theories current at that time among the learned men of Germany. His works, therefore, speedily provoked discussion. His main thesis—that the earliest condition of human society was one of unorganized promiscuity, and that organization began with the reckoning of kinship through women only—was accepted by Sir John Lubbock in his work on *The Origin of Civilization*, published in 1870. The same position was taken by Dr. Lewis H. Morgan, the American anthropologist, from independent enquiry. His conclusions were based largely on the institutions of the Iroquois, the American tribe with which he was best acquainted; but his researches extended to other tribes, indeed to the practices of the lower culture all round the world. After works dealing in detail with the North American peoples, their mature result was embodied in *Ancient Society*, pub-

lished in 1877, a work that has left its mark on anthropological studies.

Subsequently A. Giraud-Teulon, professor of the Philosophy of History at Geneva, in *Les Origines du Mariage et de la Famille* (1884), elaborated the argument of Bachofen and extended it to the lower culture everywhere. In his discussion it is assumed rather than proved that maternal descent is founded on the uncertainty of paternity; but he materially contributed by his systematic presentation of the evidence of matrilineal customs to the formation of a body of opinion in favour of the general priority of matrilineal over patrilineal descent.

Meanwhile Professor Robertson Smith, applying his special knowledge of Semitic institutions to Arab records and traditions, which had scarcely been touched by previous writers on the subject, showed in his *Kinship and Marriage in Early Arabia* (1885) that maternal descent had been the original form of organization among the Arabs, and incidentally among the Hebrews, as had been already surmised by McLennan. About the same time G. A. Wilken, professor at Leiden, after years spent in the Dutch East Indies serving the Government in various capacities in which he studied the natives and their institutions on the spot, gave to the world in a series of valuable papers in Dutch scientific periodicals (1883–1891) the results of his researches on the same subject. These researches went strongly to confirm the priority of matrilineal kinship in the East Indian Archipelago and among Semitic peoples in south-western Asia. Ultimately even Maine was forced to admit the possibility that some other forms of social organization might have been of greater antiquity than the patriarchal form, which he had claimed as primitive.

Thenceforward for some years the priority of maternal kinship to paternal was generally, though perhaps not universally, accepted. But McLennan's further contentions—that female infanticide, induced by the necessities of savage life, led to the capture of women from other tribes, and this to the general practice of exogamy, that exogamy was the cause of matrilineal kinship, and that marriage thus beginning with the capture and appropriation of women, resulted in paternity becoming certain and so led to patrilineal kinship—challenged by Lubbock, Morgan and other writers, have always remained controversial.

At the close of the nineteenth century, however, Professor Baldwin Spencer and Mr. F. J. Gillen investigated and described certain tribes in the centre of Australia. Inhabiting an arid land, they appeared to have been shut off for ages from external influences. They were naked. They practised rites of the most cruel and revolting character. And it was claimed, if not by the explorers themselves, at all events by some distinguished anthropologists, that they were on the lowest step of savagery—that they were in fact the most "primitive" people now existing on the surface of the globe. It was found, contrary to our experience of other peoples called "primitive," that they counted descent along the paternal line; and it was argued that in primitive conditions the one mode of reckoning was as easy as the other. All that is meant is that an individual belongs to one particular group, not that he is the offspring of a definite father. Where therefore the tribe is so far organized that men of a given group have marital relations only with the women of another given group, and *vice versa*, it is a matter of indifference in which way the descent is counted. It is only when men of one group "have

marital relations with women of more than one group," that it becomes of importance. Then, indeed, " unless each woman be restricted to one man, descent, if counted at all, must of necessity follow the female line." To have connubial relations with more than one group seems thus to be regarded as less primitive than to have relations with one only—a very questionable opinion.

On the North American continent also more extensive examination of the aboriginal tribes than was practicable to Morgan has revealed the fact that many of those tribes are organized by means of paternal descent ; their social order is far removed from the elaborate matrilineal organization of the Iroquois, which Morgan had investigated most completely, and which he regarded as typical. Some American anthropologists are accordingly more and more disinclined to the theory of the universal priority of maternal kinship.

A new impetus has thus been given to the attack, previously languishing, on the priority of matrilineal reckoning. The time therefore seems to have arrived for a brief restatement in popular form of the facts and arguments leading to the conclusion that the earliest ascertainable systematic method of deriving human kinship and descent is through the woman only, and that patrilineal reckoning is a subsequent development. In such a restatement, however, we must always remember that scientific conclusions are never more than provisional : they are liable at any time to be revised and modified by a wider knowledge and a more accurate reasoning. The greater the number of relevant facts we can assemble, the more careful and circumspect the inferences from them, the stronger the conclusions will be and the less likely to be upset by new discoveries.

CHAPTER II

THE BEGINNINGS OF SOCIETY

THE earliest condition of human society is naturally unknown. If man were evolved from an ape or ape-like creature the operation must have been exceedingly slow. It is difficult to assign a limit, and to say at what point the species must be regarded as human, and ceased to belong to what we look upon as the lower animals. Moreover, man must have evolved from a gregarious creature, and not from one of the "higher" apes—all of them solitary, or found only in pairs with their immature offspring. Comparatively numerous hordes would alone have furnished that co-operation which would be necessary to evolution. Human beings are always found in societies. Even in the lowest savagery where they wander about in search of nutrition, they are, though in small parties, always within reach of their fellows, with whom from time to time they forgather for the purpose of religious rites, social intercourse, amusement, consultation and joint action. Primeval societies of this kind, even if worthy to be qualified as human, must have retained many a trace of habits contracted in a lower state. Among these habits something like sexual promiscuity may probably be reckoned, relieved perhaps by temporary unions in the nature of monogamy.

It is of little use to speculate upon beginnings of which we possess no records. Absolute promiscuity

we find nowhere in human society. But in the so-called classificatory system of relationships, and in the institutions and customs of savage life, what seem to be traces of such a condition are abundantly discoverable. Many previous enquirers into social origins who have accepted maternal descent as the earliest social form of organization, have set it down to the uncertainty of paternity arising from these institutions and customs. Over and over again travellers describing a matrilineal society have attributed it to the same cause. There is reason to doubt the accuracy of the inference. If matrilineal descent prevailed in all communities where conjugal ties were loose, if it prevailed only in communities where sexual laxity was notorious, or where there was reason to think that it had once been the rule, then indeed we might be justified in ascribing to such a cause the reckoning of kinship only through women. But this is far from being the case. Many people among whom there is no reasonable doubt of the paternity of children reckon their kinship only through women. Among the coastal tribes of Western Africa from the equator southwards the husband buys his wives, who thenceforth belong to, and reside with, him. The punishment for adultery is death, though frequently commuted for a fine or the death of a slave. Still, the law is very severe, and its severity is increased by the very wide definition of the offence. Miss Kingsley reports that it is "often only a matter of laying your hand, even in self-defence from a virago, on a woman, or brushing against her in the path."[1] There can, therefore, be little doubt in ordinary cases on the paternity of the children. Yet matrilineal descent is the law in all these tribes. On the other side of the

[1] Kingsley, *Travels*, 497.

continent kinship is reckoned in the same way by the Barea of northern Abyssinia, among whom fidelity by the wife is strict and adultery exceedingly rare.[1] In India the Ulladans belong to the lowest of the purely Malayali Hindu and animistic castes of the Cochin State. They are classed among the jungle tribes and are miserably poor. But poor and despised as they are, they hold strict views as to the chastity of both married and unmarried women. "Sexual licence before marriage is neither recognized nor tolerated. Should an unmarried girl become pregnant and the fact be known, her secret lover is summoned by the tribesmen, who compel him to take her to wife, as otherwise they will be placed under a ban."[2] Divorce is effected easily and without any formalities; but it is superfluous to say that "there is nothing like free love among them." Paternity therefore can seldom be in doubt. Yet all relationship is reckoned through the female side, and a child takes the name of its mother's family. A similar tale is told of many tribes of Melanesians. Such peoples as these—and they are many—give us pause before accepting the uncertainty of paternity as the cause of the rule of matrilineal kinship, even though allowance be made for its persistence after the reason for its establishment has passed away.

On the other hand paternity is by no means certain in communities in which patrilineal kinship prevails. Among the Arunta and other tribes of Central Australia lineage is reckoned through the husband and presumed father. These tribes, when a girl arrives at maturity, inflict a cruel and senseless operation upon her. She is then compelled to submit to the embraces of other men than her destined husband, and first of

[1] Munzinger, 525. [2] Anantha Krishna, i. 60.

all, men whom she cannot marry, because they stand to her in a tribal relationship equivalent to our forbidden degrees. She is then handed over to her husband; but before he takes exclusive possession of her the ceremonial acts of congress with her are in many cases repeated with the same men as before. Even after she is settled in the possession of her husband he is accustomed to lend her, as an act of courtesy and hospitality, to visiting strangers who belong to the class in which she might have lawfully married. Beyond this, on the occasion of tribal ceremonies, occupying perhaps ten days or a fortnight, when a large number of men and women are gathered together, there is considerable licence.[1] In face of these customs it cannot be contended that there is any certainty of paternity.

Nor does the practice of many peoples in a much higher stage of civilization than the Arunta assure it—or at any rate fix that certainty upon the husband. Moreover, so great is the desire for children in patrilineal peoples that husbands are by no means squeamish in the means they adopt to obtain them. Sexual hospitality of the kind practised by the Arunta is very common elsewhere. In certain stages of the lower culture the sexual relations of unmarried boys and girls are quite free; and a girl who is pregnant, or has already borne children, has all the better chance of marriage. In such a case the husband readily takes over the offspring begotten before marriage; and they are regarded as his own. Nay, in default of children of which he himself is the father, he will even arrange to submit his wife to the embraces of strangers in order to secure them. This is often done under the

[1] Spencer and Gillen, *Cent. Tribes*, 92, 93, 96, 98 sqq., 107, 381; id., *North. Tribes*, 133, 136; Strehlow, iv. i, 43, 61, 91, 92, 97, 101, 102.

sanction of religion. The sacred law of the Hindus made special and elaborate provisions for begetting, through other men than the husband, and even after his death, sons who would provide for the due continuance of his religious duties.[1] Similar institutions are found among the ancient Persians and the ancient Armenians.[2] In these cases we find the same order of thought as in the Hebrew custom of the levirate, by which seed was raised up to the deceased. The Hebrew custom limited the woman's concubitancy to her husband's brother, and that only after her husband's death. The ancient Arabs went much further. When a man desired a goodly seed he might call upon his wife to cohabit with another man until she became pregnant by him, or he might lend her to a guest, or when going a journey he might get a friend to supply his place during his absence, or he might enter into a partnership of conjugal rights with another man in return for service ; yet in all these cases he would be reckoned the father of any children she might bear. The child of a woman already pregnant at the time of her marriage would also belong to her husband, though not begotten by him ; and the children of a divorced woman, or a widow, who married again and took them with her, would be accounted those of the second husband.[3]

Similar and even more extraordinary shifts to obtain a son are widespread among patrilineal peoples on the African continent, and witness to the indifference of the husband to the actual paternity of the children credited to him.

[1] *Sacred Books*, xxv. 327–38, ii. 267, 302, 303. Cf. *Ind. Cens. Rep.* 1911, xiv. 281.

[2] *Ibid.* v. 143 n. ; *Zeits. vergl. Rechtswissenschaft*, xxv, 296.

[3] Robertson Smith, *Kinship*, 110 sqq.

Among the Dinkas of Bahr-el-Ghazal, a Nilotic Negro tribe, all children borne by a man's wives, irrespective of their actual begetter, are reckoned his children and may inherit as such. Moreover, all children borne by his widows at whatever distance of time from his death, and whoever may have begotten them, are his children. If a *beng* (sheikh or head of a village) marry, being too old himself to beget children, such wives cohabit with his sons; but all children they bear are recognized as the husband's children and brothers or sisters of their actual begetters. The children of a divorced woman whose bride-price has been repaid, though they have been begotten by her former husband, become on her remarriage the children of her new husband. The husband of a woman who has been married for two years without giving birth to a child may sue for a return of the bride-price on the ground that she is unable to conceive; but before he can do so he must submit her to the embraces of one of his male relations in order to support his allegation of barrenness, since the fact that his other wives have borne is no evidence in his favour. If a man die leaving only a widow past the age of child-bearing and no children, the widow must marry in the name of her dead husband a girl whose bride-price she pays out of the estate left by the deceased; and she must provide her with one of the male relations of the deceased, or if he have left none, with one of her own to cohabit with. The children that such a bride will bear will be reckoned not to their real father, but to the deceased in whose name she was married, and from whose property her bride-price was paid. Descent cannot be counted through women; therefore, if the dead man have left an only daughter and no other children or widow, no child whom the

daughter might in the natural course of things bear could be reckoned her father's descendant, and so inherit his property. The duty of arranging for offspring to be counted to him nevertheless devolves upon her, and must be performed in the same way as by a widow incapable herself of bearing.[1] Similar customs are widespread in Africa and are not confined to one race. They are found from the Nigerian tribes in the west to the Kikuyu and other Bantu tribes in the east.[2]

It must be obvious that under the patrilineal organization no father can be sure that he has begotten the children whom he counts as his. On the contrary, if he thinks about the matter at all, he is perfectly certain that many of them do not carry a drop of his blood in their veins, nay, that it has been expressly arranged that children shall be born to him, shall be counted as his, and shall inherit his property and carry out his religious and social duties, because they are his children, who are in no way related to him as we reckon relationship. It is unnecessary to carry the process of illustration further, though it might easily be done. The truth is that sexual morality is a very different thing in the lower culture from ours. There every race, if not every community, has its own customs. Some peoples are more stringent than others in their ideas of wifely fidelity and chastity. Very commonly the union of a wife with other men than the husband is regarded as adultery, only when it takes place against the will, or without the knowledge, of the husband, who for his part may exercise the right to

[1] *J.A.I.* xl. 171 sqq.

[2] Thomas, *Ibo*, iv. 58, 60, 83, 130; Mrs. Talbot, *Woman's Mysteries*, 93, 211; *J.R.A.I.* xlv. 295; *Rehse*, 93; Junod, *S.A. Tribe*, i. 210, 343.

lend her to a friend by way of hospitality, or for the express purpose of procuring offspring to be imputed to himself.

The arrangements just discussed, however, to submit a woman to the embraces of a stranger are a product of a comparatively advanced stage of civilization. They are intended artificially to provide offspring for a man who has been unable to secure children by his own act, yet for whom in that state of society children are needed to fulfil religious and social purposes. In a more primitive condition such purposes do not exist. Patrilineal kinship has not arisen ; or if it has arisen it has not yet become united with a religious cult and with a social and economic organization which demand the maintenance of a particular line of descent, or at least affiliation, traced solely through men. It is even extremely probable that in that more primitive condition the physical bond between father and child is not understood, and the mechanism of paternity is ignored. The sexual passion, on which we know the continuance of the species to depend, is gratified instinctively, without any thought of the consequences. A savage woman is accustomed to sexual intercourse from a very early age, often long before puberty. Consequently in an overwhelming proportion of cases it has no result in childbirth. The inevitable hardships of savage life do not tend to lessen this proportion. Even the most rudimentary comprehension of the process of reproduction must have been of slow growth. Coition results in pregnancy only by the concurrence of favourable conditions, bodily and mental, which are not always present. When it is in fact caused, the manifestation of pregnancy does not immediately occur. Weeks or even months may elapse before it can be certainly known.

In the meantime the attention of the primitive may be diverted by a hundred other events of pressing importance. While these may call upon the thoughts of both man and woman, the latter may meet with adventures or personal occurrences which may seem to one ignorant of natural laws the cause of her condition. When once the attention is concentrated upon such an occurrence the conjecture would be speedily confirmed by a variety of real or imagined events. *Post hoc ergo propter hoc* is a fallacy to which men in all degrees of culture have been liable. *A fortiori* the reason of primitive mankind, only partially developed and running on lines not parallel to our own, would succumb to its apparent force. The savage mind, seeing connection everywhere between man and his environment, invests every event with mysticism and every object with mystical power. Conception and birth are regarded with wonder and awe as things not understood. They are attributed to causes different from human, and often above human. These causes would be supposed to operate on the woman, who is the agent of birth. The man, whose relation with it is not obvious, would be disregarded. Hence we find in traditional tales descending from a remote antiquity conception ascribed to all sorts of causes as alien from humanity as fish, plants, and even stones. That these causes are not the mere play of pleasurable fancy, unrelated to serious belief, we learn from the various practices adopted by women all over the world in order to obtain children. With this object they eat, under ceremonial conditions, food of various kinds, fruits, roots, seeds, and other vegetable products, cakes and animal substances including fish and eggs, they drink potions, often very repulsive, they consume salt, scrapings of sacred

stone statues and other mineral substances, they bathe in sacred springs, they wallow in human blood, they expose themselves to rain or sunshine, they wear amulets, they enter into contact with various objects esteemed sacred or powerful, among others rubbing themselves on menhirs and rocks, they expose themselves where they think they may be fructified by the entry into their bodies of the spirit of some deceased child or adult, they simulate the act of birth. In short, they perform an extraordinary variety of rites, and submit often to unpleasant or even loathsome conditions, that they may be blessed with offspring. Many of their performances are obscene; many are enacted under the direct sanction of religion; even in the higher religions they are sometimes connived at by the ecclesiastical authorities. The great variety and world-wide spread of these rites cannot be contemplated without the conviction that they have arisen from an ancient and deep-seated belief that birth is produced by some other than the only natural cause. Such a belief must have owed its existence and vitality to the physiological ignorance of mankind.[1]

Nor do we lack direct evidence to warrant that conviction. The Australian tribes ascribe birth to totally different causes—some tribes to one cause, others to another. The Arunta were the first tribe of which this ignorance of the real cause of birth was reported. Since it was discovered by Sir Baldwin Spencer and the late Mr. F. J. Gillen, a similar ignorance has been found among other tribes on the island-continent; and it is attested by repeated researches made by enquirers whose evidence is above suspicion. According to the Arunta and their neighbours, birth

[1] Hartland, *Prim. Pat.* i. chap. ii.

is caused by the entry of ancestral spirits into the mother's womb as she passes near their haunts.[1] In this way these spirits become incarnated. Sometimes their attention is directed to her by a magical ceremony performed by the husband or some other man. Coition is merely regarded as an enjoyment. Yet though it is not the cause of birth, in some undefined way it prepares the woman for the reception of an ancestral spirit—in other words, for conception. It would seem that the Arunta are beginning to suspect the truth, but have not arrived at a definite notion of it. The inhabitants of other parts of Australia are more innocent. It is true of them, as has been said of the Melanesian inhabitants of the Trobriand Islands, that "any view of paternal consanguinity or kinship, conceived as a bodily relation between father and child, is completely foreign to the native mind."[2] That an understanding of the physiological truth has been retarded is due to the fact that all women, often before maturity, partake of sexual intercourse, while fertilization takes place in comparatively few cases, but perhaps even more to the fact that in their ignorance they only date conception from the time when the woman first becomes conscious of pregnancy—that is to say, from quickening, which only takes place months later than the actual conception—in this respect agreeing with the Bahau of Central Borneo, who date its commencement only from the time when it first becomes visible.[3] It is obvious that an error of this kind is fundamental.

[1] Spencer and Gillen, *Cent. Tribes*, 265, 337, 338; id., *North. Tribes*, 150, 156, 162, 330, 606; Spencer, *North Australia*, 264, 336, 337, 338; Strehlow, ii. 52 n., iii. i, (p.) xi. 7 n., iv. i, 11; Langloh Parker, 50, 61, 98; Roth, *Bull.* v. 22, 18; Frazer, *Totemism and Exog.* i. 576, 577.

[2] *J.R.A.I.* xlvi. 403–13.

[3] *Globus*, lxxxvi. 381.

In the long run of course the truth was bound to be discovered. It may fairly be said that the progress in civilization of a community is measurable by the understanding on the part of the average man of the general meaning and implication of the principal phenomena of nature. The Australian Blackfellows are among the lowest savages now on the face of the earth. As such, they represent to us much more nearly than most others the original condition of mankind, though even they have made some progress during the many thousands of years since their ancestors emerged into humanity. Consequently we must not expect to find elsewhere such definite evidence of the belief that reproduction of the species is independent of coition. Yet that is precisely what we do find among the Melanesian inhabitants of the Trobriand Islands, off the south-eastern coast of New Guinea, who hold, like the Arunta, that conception is caused by the entry of an ancestral spirit into the mother's womb.[1] On the African continent, among both the Bantu and the true Negroes there are similar ignorance and similar beliefs. Birth is attributed to every cause but the true one: very often to the intrusion of the spirits of the dead into the mother's body.[2] In other parts of the world peoples who recognize and acquiesce in paternity as the present arrangement preserve in traditional tales of the past their archaic ignorance. And the birth of heroes has been often attributed by nations who are highly civilized to special causes other than the real cause of the existence of a human being.

From such traditional tales and from the practices

[1] *J.R.A.I.* xlvi. 403.

[2] Frazer, *Totemism and Exog.* ii. 507; Ellis, *Yoruba,* 131 n.; Spieth, 70*, 507, 558, 804, 820, 840.

in harmony with them indulged in by women alike in savage and what are called civilized countries, there is reason to think that this ignorance has in former times prevailed even more widely than now—that in fact it has been universal. Whether it has been usually coupled with anything like promiscuity is a question on which it is unnecessary to pronounce an opinion. We have no records to inform us of the original condition of mankind in this respect. If absolute promiscuity be actually found nowhere, sexual morality is a different thing in savagery or barbarism from what it is in a high state of civilization; the conjugal tie is as a rule much looser; and there is evidence, not merely in occasional or periodical outbursts of indulgence, but in the ordinary life of many tribes, pointing to a limited sexual communism. Scientific controversy has raged over the meaning of the facts. Whatever may be the inferences to be ultimately drawn from them, it is clear that sexual jealousy plays a smaller part in savage life than in a high civilization, and that where it occurs on the part of the man the danger of tainting the purity of descent does not generally enter into consideration. A wife's temporary union with another man, indeed, is frequently sanctioned by the husband, or by tribal custom. Where it is not so sanctioned, it is usually regarded as theft—a breach of property to which he has the exclusive right of possession. But there are differences between different peoples in this respect, some being apt to set a higher value on this right, and consequently more jealous, than others.

The truth is that the actual father is of no importance in these stages of society. This is probably due in its origin to the physiological ignorance already

discussed. Where such ignorance has given way—as over a large part of the world it has done—the sexual customs already glanced at and the constitution of society itself would tend to obscure the importance of physical paternity.

CHAPTER III

RUDIMENTARY FORMS

IN the organization of human society the earliest form to develop seems to have been the power and control of the man as provider and ruler of dependent wife and children—if at least we may judge by the lowest groups now found, such as the Yahgans and the Onas of Tierra del Fuego and the Bushmen of South Africa. Very little is known of these tiny communities, especially of the Fuegians, who are perhaps the lowest and most miserable of all. If they at all represent the primitive condition of humanity, the race was dispersed in groups consisting of hardly more than those of the solitary apes. This, however, is doubtful. They inhabit only inhospitable localities. The Fuegians seem to have been driven to the extremity of South America by the continual pressure of other tribes. The Bushmen once roamed over the vast expanses of South Africa, where doubtless they obtained sufficient, if precarious, supplies of food in the shape of game. What were their condition and organization in those circumstances we can only conjecture: they have long been exterminated from the most habitable parts by the invasions of Hottentots and Bantu; and their degradation has been completed by the destruction of the larger game by the White Man's rifle. It is not likely that they were at any time more than few in numbers wandering over veld and mountain;

and they are now reduced to a mere despised and miserable remnant, roving in small companies of twos and threes the desert and the steppe, where few other people care to dwell. Their organization was probably never more than rudimentary, but what shape it took, or on what it was founded, we are hardly informed.

Nor is our knowledge of the Fuegians less fragmentary. The Yahgans travelling about in canoes form very small parties, often consisting only of a man, his wives and children. In such a party the man would be supreme. Occasionally as many as five such families may be found living together in one rude wigwam; more generally two families. They are said to live in "clans"; but what is the organization of a clan we are not told. Probably the statement has no better foundation than a natural preference felt by relatives for living near together. The utmost we learn is that they "consider the maternal tie much more important than the paternal, and the duties connected with it of mutual help, defence and vengeance are held very sacred."[1] Superficially, that statement seems to favour matrilineal kinship in spite of the dominance of husband and father; but it cannot be taken as conclusive evidence in the absence of definite information. It has, however, some confirmation in a tradition which alleges that in earlier days men were under female domination, but they rebelled, adopted initiation rites from the women and invented masked spirits, to keep the women in subjection.[2]

In more favoured lands the natives formed larger

[1] Westermarck, *Hum. Marriage*, 44, 105, quoting letters from Rev. T. Bridges.

[2] *Bull. B.E.* lxiii. 156.

hordes. Those of Tasmania were unfortunately exterminated before any real effort had been made to obtain a knowledge of their organization. We are only told that they had neither government nor laws, and "the place of command was yielded up to the bully of the tribe." [1] The relations of the colonists and the aborigines were almost uniformly hostile. There was therefore no attempt made to ascertain facts that would be of scientific value; and the opportunity is lost for ever. From what little is known about them they are believed to have belonged to an early stratum of the population of the adjacent mainland of Australia. Accordingly we can only surmise that their customs and organization had a general similarity to those of the Australian Blackfellows, which we shall discuss at a later stage.

Thanks to Mr. Man, Mr. M. V. Portman, and Sir R. C. Temple we are a little better informed about amother of these lowly races, the inhabitants of the Andaman Islands in the Bay of Bengal. A Negrito, dwarfish people, their civilization is still in a rudimentary stage; for while they are well acquainted with the use of fire, they do not know how to produce it. Our knowledge of their organization is still vague. We are told that "an Andamanese individual, as the people themselves recognize, belongs to a family, which belongs to a sept, which belongs to a tribe, which belongs to a group of tribes or division of the race." But what is the exact definition of a family or a sept we are not informed. "There is," says Sir R. C. Temple, "no idea of government, but to each tribe and to each sept of it there is a recognized head, who has attained that position by tacit agreement

[1] H. Ling Roth, *Aborigines of Tasmania*, 70, quoting Dove, *Tasm. Journ. of Science*, i. 253.

on account of some admitted superiority, mental or physical, and commands a limited respect and such obedience as the self-interest of the other individual men of the tribe or sept dictates. There is a tendency to hereditary right in the natural selection of chiefs, but there is no social status that is not personally acquired." [1] I am informed that more recent investigations by Mr. A. R. Brown, the results of which have not yet been published, lead to the belief that all this is somewhat too definitely stated. A tribe is a loose aggregate, held together by a common dialect and vague feeling of kinship. It consists of local groups, in no sense clans or septs, and these in turn of households, each of husband and wife with dependent immature children. An organized family beyond this does not exist ; and the " chiefs " are only the more influential men, without real authority. Undeveloped as their culture is, they appear to understand the origin of children. Parents use different words in referring to their offspring. The father calls his son by a word signifying Him that has been begotten by me, the mother by a word meaning Him whom I have borne. And we are not surprised to learn that " relationships are traced in both lines." It naturally follows, as is the fact, that polygamy and divorce are alike unknown, and that while the unmarried of both sexes are universally unchaste, when once marriage has been entered into conjugal fidelity is probably the rule. A state of things, so far as we have material for understanding it, so exceptional does not enable us to bring Andamanese society within any category at present known. Until further researches lay bare something of its history and more precise information regarding its organization we

[1] Temple, *Ind. Cens. Rep.* 1901, iii. 49, 62.

must be content to leave it aside, merely noting its peculiarities.[1]

The Andamanese have occupied their little chain of forest-clad islands in a stormy sea for unknown ages in isolation from the rest of mankind. To this fact they probably owe much of the particular development taken by their institutions. At the extremity of the habitable earth, on the inhospitable shores of the Arctic Ocean the Eskimo long enjoyed a similar, if not quite so complete, separation from foreign influences. There, though in an utterly different environment, they have evolved an organization distinguished also by the recognition of kinship on both paternal and maternal sides. Unlike the Andamanese, however, they indulge in polygyny (probably favoured by the dangerous occupations of the men, which often result in loss of life and consequently many widows), divorce, sexual hospitality, and the ceremonial, temporary or permanent exchange of wives. The wife goes to live with her husband—a custom which has perhaps grown out of the more primitive possession by a man of his wife and children. Indeed the Eskimo, like the Yahgans, never seem to have passed entirely beyond that stage. The unit of society appears to be a family of husband with his wife or wives and growing children, to whom adopted children or a dependent mother may be added. Larger communities than this consist of housemates, where more than one family resides in the same house, and place-fellows or inhabitants of the same little settlement. There are no chiefs, and no *gentes*, or clans : the people are not bound together by any wide-reaching bond or sentiment of common blood. What Steensby says of the Polar Eskimo is true in greater or less degree

[1] Man, *J.A.I.* xii. 126, 135.

of all: "Naturally the life of the Polar Eskimo is not wanting in social features, but everything has contributed to retard the formation of the society, so that the tendency to work and live together, which the Polar Eskimo are certainly also in possession of, has never had the chance to develop. Practically the only sort of co-operation or subordinate kind of sociological formation we can talk of in the case of the Polar Eskimos is the settlement; but as this is constantly on the move, sometimes scattering, sometimes concentrating more or less, this unit is not very constant either. The basis for this periodic meeting together at a settlement is in part relationship, in part the comradeship of the hunt. On the other hand, there is no such thing as true alliances, or grouping according to age, probably on account of the small numbers and scattered nature of the tribe; nor are any ceremonies or forms known on the attainment of maturity." [1]

Climatic and economic reasons account for the preservation at both extremities of the American continent of so archaic and rudimentary a form of social order. At all events the severity of the climate for the greater part of the year, the consequent difficulty of finding subsistence, and the perils which ever environ the Eskimo man have raised his value as the sole protector and provider of the means of life for his dependants. When he returns from his fishing voyages on the stormy seas his catch is often not more than sufficient for his immediate circle. If it be larger than usual he is compelled to divide it not only among these but among his neighbours

[1] Rink, *Tales*, 22 sqq.; Crantz, i. 159, 179, 180, 191; Boas, *R.B.E.* vi. 578 sqq.; Murdoch, *ibid.* ix. 42; Nansen, *Eskimo Life*, 108, 115, 121, 139, 147; Steensby, 364–6, 368, 370.

without distinction, especially in the oft-recurring times of necessity. In a more genial climate, even where as in Australia civilization is at its lowest and the population lives from hand to mouth, the mother, by her search for roots and berries and her skill in capturing insects and other small animals, contributes as much to the resources of the family as her husband by the greater but more uncertain booty of the hunt for larger game. But in the Arctic regions the man alone by his daily adventures on the water is able to obtain the necessary food and clothing; and to him the children habitually look for these things. It is, therefore, not extraordinary that, where larger communities are impossible and an extended consciousness of propinquity and protection cannot exist, the father has an authority and an influence in his family which have preserved his position and created the feeling of kinship. On the other hand, the ties with the mother, originating in birth, continued care and personal affection, are felt by the children, as is shown by the rule that in case of separation of the parents the son always follows the mother. Sometimes too a husband goes to reside with his wife's parents. In this case he helps to maintain them and is to some extent under their control, as we shall find among matrilineal peoples. It would seem, therefore, that the rudimentary institutions both of the Fuegians and of the Eskimo might easily evolve with favouring circumstances into a matrilineal society.

CHAPTER IV

MOTHER-RIGHT: ITS CHARACTERISTICS

BEFORE discussing the organization of society upon the lines of matrilineal kinship and descent it will be convenient to enumerate the principal characteristics of that organization. In its fullest development it is known as Mother-right, and comprises the following items:

1. As already intimated, the first and most essential characteristic is that descent, and therefore kinship, are traced exclusively through the mother.

2. A matrilineal community in its typical form is found organized in clans, as very often is a patrilineal people. Every clan is a band of men and women believed to be united in blood through their mothers. Between themselves they are regarded as brothers and sisters: the descendants of the latter, but not of the former, also belong to the clan. Strangers are sometimes admitted to the clan by means of the blood-covenant, a rite whereby their blood is artificially mixed with that of some members of the clan; and they are thereafter regarded as true members of the clan, with all the rights and obligations of kinship.

3. No member of a typical clan, whether matrilineal or patrilineal, may marry or have sexual intercourse with another member of the same clan; but on the contrary all marriages must take place between members of the clan and of some other clan. Marriage with a member of the same clan is regarded as incest,

and is prevented or punished accordingly. The rule thus expressed is called exogamy.

4. Another obligation, common also to matrilineal and patrilineal organizations, is that of blood-revenge. The clan is the unit of society. Every wrong suffered by a member of the clan is suffered by the whole clan; and every wrong done by the member of another clan is imputed to the entire clan. Every member of the clan that has been wronged is himself wronged; all must therefore unite to resent and revenge the wrong upon the clan which, or a member of which, has committed it. The revenge need not be perpetrated upon the individual who has committed the wrong: it is sufficient if the retaliation take place on any member or members of his clan.

5. The clan is ruled by women. In the narrower circle of the family the headship is vested in the mother, or the eldest living ascendant, to whom her descendants are subject. The rule by women, however, is a rare form of organization.

6. More usually the clan and the family are ruled by men, descendants of the women through whom kinship is traced. These men necessarily are not the fathers of the following generation of the clan. Their wives and children belong to other clans; their nearest relatives are their mothers, sisters and sisters' children. The fifth and sixth characteristics are alternative, the one excluding the other.

7. On marriage the husband either continues to live with his mother and her family and only visits his wife, or goes to reside with his wife and is more or less subject to her family or clan. This latter arrangement is known as matrilocal marriage.

8. The inheritance of property and the succession to office are from maternal uncle to nephew or to niece

or niece's children, or from brother or sister to brother or sister. When the rule is by women, women are usually capable not only of transmitting but of holding property as well as office.

It is not intended to assert that these characteristics are all invariably present, even counting the fifth and sixth as alternative. Patriarchal rule and patrilineal kinship have made perpetual inroads upon mother-right all over the world; consequently matrilineal institutions are found in almost all stages of transition to a state of society in which the father is the centre of kinship and government. Where a community counts descent through the father, and yet the women take a prominent share in the government, or the husband resides with his wife and her family, or the inheritance of property or the succession to office is traced through the mother, these arrangements are obviously incongruous with paternal institutions; and we may reasonably suspect any such that we find as a relic of a prior stage of maternal institutions. The social importance of the maternal uncle, when it appears in a patrilineal community, too, is not to be accounted for by patrilineal institutions; but it suggests the former existence of a matrilineal society, with the conditions of which it is entirely in harmony, and in which it is almost invariably present. The same suspicion arises when marriage prohibitions affect less strongly, or in not more than equal strength, the father's kin than the mother's, or when emphasis is laid on pedigrees through the mother. The suspicion is strengthened by the concurrence of more than one such incongruity in the same community, until it may become a moral certainty.

The social order centring on maternal kinship originated at so remote a period and in so rude an age

that no record is possible. We are therefore left to conjecture about it. It must have arisen among the earliest manifestations of humanity. We may suppose that it first gradually took shape in a happier environment, amid a more plentiful food supply, than such as surround the small communities at the extremities of the American continent. Consequently a larger population and a closer aggregation of society were possible. It has been suggested that the first community into which human beings were formed was the food-group—the group that normally sought its food and perhaps actually fed together. But when mankind slowly emerged into consciousness the group must very soon have realized a dim sense of kinship. As this sense strengthened, the origin of the child from the mother, and its long and visible dependence upon her, must have pointed more and more certainly to rudimentary apprehension of the manner in which the group was bound together. And as soon as humanity was sufficiently far advanced to organize more or less consciously, the mother naturally became the pivot on which the organization turned. In this way clans would be formed, each comprising the mothers and their offspring. In circumstances in which the search for food and other necessaries did not compel wide and continuous segregation, and did not give the opportunity and the need for force to win and keep a bride, the man did not succeed in detaching and carrying off from the community his female companion, and therefore did not avail to establish that perpetual dependence upon himself which has ripened among the Eskimo in course of centuries into kinship with the children. Probably, if we may judge by some of the manifestations of mother-right, the union of man and woman was too fugitive, or at least too liable to change, to con-

solidate into that permanence with which we associate the terms husband and wife. Whatever the exact course of evolution, the tie of kinship through the mother is that which meets us as most archaic in human societies. It is indeed more than possible that the kinship that has emerged in the hard and unsympathetic environments discussed in the previous chapter may have been developed from a matrilineal society by its separation into smaller units. This is, however, a question that we need not discuss : we may turn from it into the more general current of human history.

CHAPTER V

THE AUSTRALIAN RACE

THE Australian race is one of the lowest now found upon the earth. Probably a compound of two peoples, it has been shut off on its island-continent for many ages from intercourse with the outside world. Some contact, indeed, there has been in the extreme north with the Malays, but so little and intermittent that it has affected neither the blood nor the language and the institutions of the natives.[1] There has also been some intercourse with the inhabitants of the western islands of Torres Straits. Its influence, however, has been unimportant, so far as we can tell. Other contact has been asserted on the eastern coast. Such contact, though possible, remains as yet without adequate proof.[2]

When and how the race arrived has been the subject of speculation. When the White Man came it was still in the Stone Age. The cultivation of the earth, even in the most rudimentary manner, was unknown; the people lived on what has been called the natural

[1] Spencer and Gillen, *North. Tribes*, 17; Spencer, *North Australia*, 8.

[2] Dr. Haddon kindly points out to me that this statement requires qualification. There is some evidence of contact in the presence on the shores of the north and north-east of Queensland of more than one type of outrigger canoes, a foreign craft peculiar to the shores of the Indian Ocean and the Pacific islands (see Haddon, in *Essays and Studies presented to William Ridgeway* (Cambridge, 1913), 614). So far as I am aware there is no other evidence, and none at all of any penetration of contact inland.

basis of subsistence: that is to say, by hunting and gathering edible roots and fruits. The men hunted the larger game with spears and boomerangs; the women dug for roots or sought for insects and other small animals, contributing thus no inconsiderable portion of the food supply. A community in this condition is naturally ever upon the move, remaining in one place until its resources are for the moment exhausted, and then going on to another. But each Australian tribe has its own foraging grounds, the boundaries of which are well known, are transgressed, if ever, only for an isolated hunt; and trespasses are promptly resented. There is, therefore, no wholesale migration; and the fight for territory is unknown. Migration, of course, must once have taken place; the race must once have spread from one centre or more, when the country was first populated. But that was long ages ago; and no traditions of it remain. The total number of inhabitants was always small. The wars are confined to petty raids, arising out of quarrels about women or hunting trespasses, or else from the attempt to avenge some death imagined to be caused by witchcraft. Consequently changes are slow. They are effected by the peaceful penetration of ideas or of ceremonies, rather than by the violent means of more restless and virile races.

An Australian tribe is a very loose aggregation of groups of men, with their women and children, wandering within a certain definite range. Chieftainship is in a rudimentary condition, unstable, dependent upon personal qualities, and often hardly recognizable. Each group and each tribe is allied to its neighbours by community, or repelled by diversity, of language. A tribe is divided into clans or bodies of persons who account themselves kinsfolk. Each of these clans is

distinguished by a totem, usually an animal, less commonly a vegetable, and more rarely still some other phenomenon of nature, which is in mystic relation with the human members of the clan, and is, at all events in Central Australia, and probably was in other parts of the country, deemed to be influenced by certain ceremonies performed at intervals to secure the multiplication of the totem-species or some other influence for the benefit of mankind. These clans, or their equivalents, extend over the whole continent, and are not confined within the limits of one tribe. The members of a local group account themselves in some way, apart from the totem-clans, as akin to one another; and they recognize a similar kinship with other groups (often together designated a nation) speaking the same tongue. The group, with its allied groups, considered as a political unit, is thus a body descendible in the male line. They meet from time to time with their fellow-tribesmen and friendly neighbours in ceremonial assemblies; and there the affairs in which they are jointly interested are discussed and marriages made. Marriages are ordinarily arranged by exchange of sisters, though, under the classificatory system of relationship, the term sister embraces a far wider circle than is denoted in our system. The wife is taken to live with her husband, where she is under his power and protection in much the same way as among the Eskimo and Yahgans. But kinship has developed: she retains her own totem-clan, and under matrilineal descent transmits it to her children. She serves, however, to continue the political body to which her husband belongs. The influence of this state of things in bringing about patrilineal kinship is obvious, especially in a state of society so loosely organized as the Australian. If, as might

very well happen, all the men in a given local group belonged to one totem-clan, while the women belonged to various clans, the children would all be physically children of that one totem-clan. The fathers wielding authority over their respective children, and claiming them in some sense as their property (being the production of their wives)—even if physical paternity were not understood, moreover, looking to their sons at any rate to carry on the local group—would naturally desire a closer tie than the indefinite kinship of the tribe, by reckoning them in their totem-clan. In these circumstances the wonder is not that male kinship is found, but that it has not more thoroughly and widely prevailed. Nor is it easy to see how female kinship—matrilineal descent—could ever have come into existence, unless it were a part of the primitive inheritance of the race.

Where throughout the world totemism is in full force the rule of exogamy prevails, though whether it is connected in origin organically with totemism is at present a subject of debate. In Australia a further evolution has taken place. There the regulation of marriage is provided for by the institution of marriage-classes, between which, and between which only, marriage is allowed. Marriage-classes are found over a great part of the continent. They appear to have grown, or been deliberately formed, out of the totemic organization. In their simpler development they are found as two exogamous phratries between which the totems of a tribe are shared, some totem-clans belonging to one and the rest to the other. It is also significant that while the meaning of most of the names of these classes is unknown, wherever we can trace the names of the two primary classes or moieties they are names of animals. The tribes so divided

usually, but not quite invariably, follow maternal descent: we shall deal with the exceptions later. In their next form the marriage-classes are in a measure independent of the totems. The tribe is divided into two exogamous classes, and each of the classes again into two sub-classes. If the rule of descent be male, the child belongs to the class of his father, but not to his sub-class: he belongs instead to the complementary sub-class. If the rule of descent be female, the child belongs to the mother's class and to the complementary sub-class, not to the mother's own sub-class. Where totemism is in force the totems are divided, as in the simpler organization, between the two exogamous classes or moieties. The child then, according to the rule of descent, whether male or female, takes its parent's totem, but not that parent's matrimonial sub-class. So far as our information goes with a few possible exceptions, all the tribes having this organization also follow female descent; and they need not here be specifically discussed.

The contrary is the case when we come to the tribes of Central Australia, among which the Arunta may be taken as the type. There we find the matrimonial classes have grown to four. The original exogamous division is still recognized with its sub-classes; but each of these sub-classes has again bisected, making eight exogamous groups in all. Each of the eight has one, and only one, group into which its members can marry in the ordinary course. There are thus (*a*) the two primary classes, or moieties; (*b*) four secondary classes, each consisting of one of the sub-classes of the original moiety; (*c*) eight tertiary classes or sub-classes, each consisting of a sub-class of the secondary classes. The children belong to the (secondary) class of the father, for descent invariably is in the male line, and

to the complementary tertiary or sub-class, not to the father's own tertiary or sub-class. Among the Warramunga, northward from the Arunta, the two primary classes or moieties occupy two distinct districts of the country. The totems are divided between them, the totem-clans of one moiety occupying the one district, and the totem-clans of the other moiety occupying the other district. This arrangement would under patrilineal descent naturally result from the Australian rule that the wife goes to reside at the husband's camp; accordingly the Warramunga children take their father's totem. The totemism of the Arunta, however, differs from totemism found everywhere else in the world. The child does not necessarily belong to either its father's or its mother's totem-clan. As we have seen (Chapter II), the Arunta are unacquainted with the physical relation between father and child. They suppose that pregnancy is caused by the entry of a spirit, or a germ, into the mother's body as she passes a place haunted by such seeds of life, or eats something capable of conveying it, or sees an animal which is really a supernatural power missioned for the purpose. Thence they have evolved an elaborate scheme of reincarnation of departed ancestors, which accounts for the continuity of the tribe by the constant reappearance of deceased members. In spite of this the child is, at all events for the purpose of the regulation of marriage and for some other purposes, reckoned as the child of the mother's husband. The Warramunga scheme of things is similar, but simpler. According to the Warramunga wise men the germ or spirit of a deceased member of the tribe knows that the woman whom he ought to enter is the wife of a man belonging to the totem to which he used to belong when alive. He

therefore seeks such a woman out for his future mother, and thus avoids the complexity and confusion into which the Arunta discarnate spirit more recklessly plunges. *He* does not trouble himself to see that the woman whom he impregnates is of the right totem-clan or matrimonial class: hence very often he gets himself born from a mother of the wrong clan or class. So frequently is the blunder made that among the Arunta, the Kaitish and some other tribes, the totem is discarded in determining conjugal rights; and the same totem is found in both of the primary classes or moieties.

The fact is that these tribes have no totem-clans. Instead they are divided into totem-groups recruited by assigning the newborn children to one or other according to the ancestor supposed to be reincarnated. These totem-groups are distributed unequally between the primary moieties, one moiety containing a noticeably larger proportion of certain totem-groups than the other, often nearly all of them. This means that the present social system, far from being primitive, as has sometimes been contended, is of recent date, and that it has sprung from an organization in which the totem-groups were true clans, and were each of them confined to one of the primary moieties, or phratries, as in the ordinary totemic institutions of the continent. For if the present system were of old standing—if it were what may be described as primitive—it is mathematically certain that, independently of special circumstances affecting the chances, each totem-group would be divided between the moieties in shares approximately equal. The conclusion is that totemism in the form in which it now obtains in the Arunta and adjacent tribes is not primitive, but is, like the eight-class marriage regulations, the result of evolution.

It is totemism rather decadent than embryonic. The totemic institutions of the Arunta have in fact broken down. Maternal kinship has gone. Such relics of the system of paternal kinship as exist seem to do so almost only for the purpose of the matrimonial regulations.

At the present day patrilineal institutions, including the eight marriage-classes, and accompanied by the barbarous puberty rites of the Arunta, are spreading from the centre of the continent to the north and west. In south-western Australia the movement does not seem to have made quite so much progress as in the north. A range of hills divides the coastal region from the drier interior. The coastal tribes are, or have been until recently, all in the matrilineal stage. Beyond the hills the tribes which wander about the steppes derive descent through the father. Female kinship is gradually being driven back and ousted in favour of male kinship among the coastal tribes, under the observer's eyes. Whether the change involves the transmission of the elaborate system of marriage-classes and the cruel rites, as it has done in the north-western area and throughout the interior of West Australia, we have yet to learn.

All the tribes of the eastern half of the continent reckon descent in the female line with the exception of a few tribes along the south and south-eastern coasts and possibly of a tribe at the mouth of the Annan River in the extreme north. The organization of this tribe is so unusual (it is said to have male descent and only four secondary marriage-classes) that it seems to call for further investigation. Along the southern coast, however, from the border of West Australia to Gippsland, we find a number of

tribes of divergent characteristics reckoning descent through the father. The Eucla or Yerkla-mining at the head of the Great Australian Bight, and the Narrang-ga and Narrinyeri to the eastward of them, down to the Murray River, do not seem to have possessed any marriage-classes. Their totem-clans were localized, as may very well be under a patrilineal organization, the wife residing in her husband's camp. South-east and east of the Narrinyeri, the Buandik, the Wotjobaluk, with their sub-tribe the Mukjarawaint, and the Gournditch-mara had female descent with two marriage-classes having names which, if not identical in them all, were closely related. To each of the marriage-classes certain totem-clans were assigned; and these were again divided among a number of sub-totems. We seem here to be in the presence of a development of the totemic system.

Beyond these tribes to the east was the Kulin nation occupying the Great Dividing Range, northward as far as the Murray River and eastward to the Ovens River; while south of the Range they held the whole country to the sea as far eastward as Gippsland. Their habitat was an extensive and well-watered country, including within it mountains covered with thick, almost impenetrable forest, containing some of the largest trees in the world. As might be expected, a variety of tongues was spoken, though they were sufficiently related to enable the tribes speaking them to be classified together as one "nation."

Very little is known as to the totemic and class-organization of these tribes, beyond the fact that they had such an organization. There is reason to think that the tribes to the north of the Range were

matrilineal, while those to the south of the Range reckoned paternal descent. In the southern tribes the totemic organization seems to have been in the last stages of decadence. Marriage was effected by an exchange of sisters (own or tribal); and the tribes were exogamous as to locality.

The Kurnai, who spoke a language related to that of the Kulin, may have been part of the same stock as that nation, though they looked upon the latter as enemies. They inhabited Gippsland, a coastal district two hundred miles long by seventy miles in width, cut off from the interior by the Great Dividing Range. Among the Kurnai the system of marriage-classes was unknown: only faint and uncertain vestiges of it have been surmised. But totemism seems to have survived, though our knowledge of it is very meagre, and we have no evidence of specially totemic ceremonies. Marriage was regulated by locality. A man might not marry a woman of his own district; he might not marry a woman of any other district indiscriminately. His choice was limited to the women of certain districts with which there was *connubium*. Indirectly this arrangement had the effect of preventing a man from marrying a woman of the same totem. For the Kurnai reckoned descent in the paternal line. This would result in the women of a man's own totem being congregated in his own district, where he was forbidden to wed: the women of another district might have another totem, and probably the reason, or one of the reasons, for *connubium* was that they had another totem. Marriage was effected differently from the ordinary Australian way: it was not by exchange but by elopement, followed by pursuit and possibly capture and punishment. But the lover who persevered finally carried

off the woman to his own district. No certain vestiges of female kinship have been found.[1]

Lastly, the Murring tribes were in possession of a strip of country extending from the Kurnai between the Dividing Range and the sea in what is now New South Wales northward to a limit ill-defined, that seems to have extended as far as, or beyond, the present port of Newcastle. Many of them are extinct; and our information concerning their organization and customs is in all cases meagre and fragmentary. The tribes north of Sydney are all extinct. So far as can be conjectured, their customs resembled those of their neighbours, the Kamilaroi, who had marriage-classes and female descent. Southward, among the Yuin there were no class-names, nor even traces of them. There were totems, and the totem-name was inherited from the father. A man might not marry a woman of his totem-name. The prohibition was coupled with the further rule that he might not marry a woman of the same locality. As among the adjacent Kurnai, certain localities had *connubium* with one another, and he might only marry a woman of a locality which had *connubium* with his own. Marriages were effected in the ordinary fashion by the exchange of sisters, varied by occasional elopements.

How far totemism was a living force among the Yuin seems doubtful. We shall probably be safe in inferring that its power had begun to wane; but it was still considerable. The Yuin were aware of the physiological relation between father and child, and they had a strong opinion on the subject. Howitt

[1] The polity of the Kurnai has been examined at length by Frazer, *op. cit.* i. 493 sqq. Cf. Hartland, *Matrilineal Kinship*, 80 sqq. The organization of the Australian tribes is discussed in the latter work, pp. 61–87, and references to authorities given.

writes: "I have heard it said by the Yuin that the child belongs to the father, because his wife merely takes care of his children for him, and that therefore he can do what he likes with his daughter." If this be a fairly representative view, the physiological knowledge of the Yuin, however imperfect, had advanced beyond that of many Australian tribes. Yet we may question whether they had long adopted it. The result of male kinship in localizing the totem-clan had not been reached among the Yuin, for there were "very numerous totems scattered over the country, as is the case in the tribes with descent in the female line."[1] The localization of the totem-clan would take several generations. It is, therefore, to be inferred that male descent had been adopted too recently for its results in this direction to be fully worked out. The superimposition of local exogamy upon totemic exogamy suggests Kurnai influence.

To sum up: a consideration of the evidence relating to the whole of the Australian race leads to the conclusion that at one period all the tribes were organized on the basis of matrilineal descent. If they had started by reckoning descent through the father, matrilineal descent, which still prevails so widely throughout the continent, would in their circumstances and owing to their customs have been impossible. Moreover, it is difficult to see how, with their beliefs, discussed in a previous chapter, they could have started by recognizing kinship through the father at all. Descent on one side only is the rule throughout Australia, as commonly in the lower culture. Exclusively paternal descent must have been the result of considerations operating not at the beginning, but subsequently in the course of time. Whether the dual

[1] Howitt, 133, 261–3.

organization was an original part of the totemic system in Australia we need not here enquire : it is sufficient that it is found over by far the greater part of the land. The subdivision of each of the two intermarrying moieties into two secondary classes was the next step in the evolution of the social order. In this stage they are found everywhere (subject to a very few possible exceptions) with female descent. The central tribes advanced to male kinship and a further subdivision of the marriage-classes. Along the south-central and south-eastern coasts evolution took a different route. Male kinship is there associated not with increasing complexity, but with a simplification of social arrangements. Among these tribes the institutions prevalent over the rest of the continent are in decay, sometimes in little more than a vestigial condition, sometimes in aberrant forms. While there is some evidence that there male kinship was preceded by female kinship, in the Northern Territory there is stronger evidence ; in Western Australia the change is going on before our eyes.

CHAPTER VI

MELANESIA, POLYNESIA, MICRONESIA

NEAREST to Australia are the islands of Torres Straits, New Guinea and (further to the east) the Fijian, Solomon and other islands, collectively known as Melanesia. They are inhabited by peoples less rude than the Australian natives, having an art in some respects of a comparatively high order, and being dependent partly on the cultivation of the land. They belong to two distinct races, the Papuan race occupying the mainland of New Guinea and some of the outlying islands, including those of Torres Straits, and the Melanesian race occupying the islands to the east and a number of setlements on and near the sea-coast of New Guinea, to which they are probably more or less recent immigrants.

The inhabitants of the Torres Straits islands are patrilineal in descent. In the customs, however, of the western islands there are remains of mother-right. It has been mentioned that even in mother-right the clan and the family are usually ruled by men who are descendants of the female members. Such men would be the elders, and they would occupy the place taken in government and protection among patrilineal peoples by the father. As we shall hereafter see among matrilineal communities, the relation between a man and his mother's brother is very close ; it is esteemed as far closer than that between a man and his mother's husband. Despite the paternal kinship on which

society in the islands of Torres Straits is organized, the mother's brother has an extraordinary influence. The term used for the relationship—*wadwam*—was reciprocal: it included both the mother's brother and his sister's child. It is necessary to remember that it is used in the classificatory sense, and therefore includes many persons who in our table of kindred are not recognized in the same degree of relationship, or perhaps hardly as relatives at all, so distant are some of them as we reckon, though one fact distinguishes them: they are all related by blood solely through women. For simplification I shall use here the English terms most nearly applying. An uncle can stop a fight immediately between his nephew and another man, and that merely by a word or by holding up his hand. A nephew on the other hand is at liberty to appropriate anything belonging to his uncle; and if it were spoilt or destroyed the uncle would utter no word of reproach or anger. These customs indicate a very close relation and much confidence between uncle and nephew. They and other vestigial conditions lead to the inference not only that maternal descent formerly prevailed, but also that it had very recently disappeared.[1] Totemism and the clan still exist, but are decadent; and kinship recognized on both sides appears to be gaining ground. Clan-exogamy is limited to the same island. In the islands of the eastern group further progress has been made. The cultivation of the land has gained in importance. The territorial aggregation of a clan, which is the result of male kinship, has resulted in the transformation of clan-exogamy into village-exogamy. Totemism has vanished, leaving only a few doubtful remains; and the system of kinship is in process of being simplified.[2]

[1] *Cambridge Expedn.* v. 144, 146. [2] *Ibid.* 159 sqq., 169 sqq.

The island of New Guinea has been subject to invasion and settlement by Melanesians from the east, with the result that there are a number of Melanesian populations on the eastern and south-eastern shores, and that many of these populations have mingled with the aboriginal Papuans. Speaking generally, the further west they are found the more various are their cultural characteristics, for the more they have mingled with the Papuan stock. The Massim, as the eastern tribes are called, are in a condition of transition from matrilineal to patrilineal descent. The institutions and customs differ in detail in different localities. In general, however, it may be said that the people are divided into totemic clans, still descendible through females. The clans are exogamous. In some places the exogamous restriction appears to be breaking down; elsewhere it is extending to the father's clan. Other prohibitions are undergoing a like change; a man regards his father's totem-animal equally with his own—in some places, as on Murua (Woodlark Island), with even more ceremonial avoidance than his own. Another result of the transition is that a man now owes obedience and help both to his father and to his maternal uncles. In return, he borrows or helps himself to the property of both without permission and without objection: perhaps more readily to his uncle's property than his father's.[1]

The Australian natives possess so little property that inheritance is unimportant. But as we ascend in the scale of civilization, property accumulates, and the direction of its inheritance becomes of consequence. Articles of immediate personal use which are associated in the native mind with an individual seem to acquire a savour of his personality; they become a part of it;

[1] Seligmann, *Melanesians*, 435 sqq., 677 sqq., 447, 506 n.

they are identified with him. Such articles are frequently destroyed at his death, or buried with him. This practice originates very low down in culture; but it begins early to be modified, and is finally for the most part abandoned. Other property descends to the clan, or the family, in accordance with custom. When the father's relation to his children becomes clearer, one of the first inroads upon mother-right is found in his desire to transmit a portion of his property to them. He effects this often by disposing of it to them in his lifetime, of which we shall find examples hereafter. Among the Massim at Tubetube on his death his property is divided into two categories. His armshells and necklaces, valuable objects that may be described as his jewellery, would go in part to his children, and the remainder to his sister's children, particular objects being given in accordance with his dying wishes. Sometimes his pigs, a staple article of food, are divided in the same way. But his drums, his apparatus for the chewing of betel-nut, his canoes and his fishing-nets go in the old matrilineal fashion to his sister's children, or if there are none of these to his maternal uncle, or his own brothers and sisters; and what may be called his landed property—that is to say, his garden-ground and his clearances in the bush—goes in the same way. His house is generally allowed, for superstitious reasons, to fall into decay, or is destroyed; and his matrilineal heirs thus practically inherit only the site. Similar rules apply in other settlements.[1]

The insular Melanesians, who extend from New Britain and New Ireland down to Fiji, New Caledonia and the Loyalty Islands, are found in various stages of social development. Their institutions have

[1] Seligmann, 523.

been examined and described by competent explorers, among whom may be named the late Bishop Codrington and Dr. W. H. R. Rivers. The elaborate work of the latter on the *History of Melanesian Society* is of the utmost value to students. He concludes that the population is composed of an aboriginal substratum upon which two or more layers of immigrants with their own customs have been superimposed: hence the strange mixture of social institutions that is found. Dr. Rivers infers that the original form of society was mother-right.[1] It is still found in a comparatively pure form, especially in the Banks Islands. Society there is organized in two groups or moieties called *veve* or *vev*, a word meaning *mother*, each again divided into a number of subdivisions. Each of the moieties is exogamous, a man finding his wife in the moiety to which he does not belong. Membership in the *veve* is inherited from the mother. The two moieties are believed to have different characters; and father and son do not eat together, lest the son acquire his father's character. There is on the other hand very close relationship between a man and his mother's brother. The latter is treated with far greater respect than the man's father. As in the islands of Torres Straits, a man can stop a fight in which his sister's son is concerned. It is the maternal uncle rather than the father who introduces a lad for initiation into the *Sukwe*, a species of men's club or society, membership in which releases one from the necessity of feeding with the women. In connection with the birth of a firstborn boy certain ceremonies are performed in which the maternal uncles of the child take a prominent part. The inheritance of property differs in detail in the various islands. It

[1] Rivers, *Melanesian Soc.* ii. 70.

may be said generally that the ancient hereditary cultivated land goes to the sister's son. On the other hand, the land which a man himself clears of bush and reduces under cultivation frequently goes to his children. The ownership of trees planted by a man, which may be distinct from that of the land on which they stand, also goes to his children. In the island of Mota a man will often specify the child to whom his newly-planted land is to go. In such a case the child himself is made to take part in the ceremony of planting, if adult, by walking behind his father with a hand on his shoulder, or if still young by being carried on his father's shoulder as he plants. There is even a custom of planting for an unborn child, represented in the act by a dried coco-nut carried by the planter. Property other than land goes to the children; but as an indication of the former inheritance of the sister's son he may still take anything he chooses, and if not allowed to do so may take everything. Chieftainship is not much developed, apart from rank in the secret societies; and a father takes care to have his son introduced into them and advanced to such a rank as will secure him influence.[1]

In the mountainous region of the interior of Fiji the people are divided into a number of independent bodies known by the names of the districts they inhabit, and each of these is again grouped into smaller bodies, called *matanggali*. These *matanggali* are generally patrilineal, and bear some faint traces of totemism, which always raises a suspicion of maternal descent at a former time. Almost everywhere in Fiji there is a special relation between a man and his sister's son, here called *vasu*, such as we found

[1] Rivers, *Melanesian Soc.* i. 20, 37, 55 sqq., 61 sqq.; Codrington, 35, 63, chaps. v. and vi.

in the islands of Torres Straits. Indeed in Fiji the relation is even more pronounced. Even in the patrilineal districts a man will not eat the tabooed animal of a tribe or *matanggali* to which he is *vasu*. Formerly the *vasu* could take any of the possessions of his uncle, root up his uncle's plantations, and if he wished kill any of his pigs; though now, probably under British influence, this right is no longer recognized. Even before the British occupation it was beginning slowly to be limited. He could go, if the *vasu* of a chief, into his uncle's town and appropriate any woman he desired. The uncle has still a general right to his *vasu's* obedience; he takes the chief part in the direction of his nephew's life; he arranges and leads in any ceremonies connected with his nephew; in former days he taught him the art of warfare. On the death of a child his father was liable to pay compensation to the mother's brother.[1] In many parts of Melanesia the general rules of inheritance found in the Banks Islands subsist, with various modifications; but everywhere there is a tendency to the inheritance by the children of the deceased, though there is a clear indication of the priority of inheritance by his sister's children, or by the social (matrilineal) group to which he belonged. Chieftainship on the other hand descends from father to son. Several of the Melanesian islands are patrilineal; but everywhere there are remains of the earlier system of maternal descent. On the other hand, the beginnings of father-right are to be detected in many of the matrilineal islands: a son respects his father's totem-animal, or the animal tabooed by his father's social division, the relationship of father and child is fully recognized, and marriage and other rights tend to be founded more and more on

[1] Rivers, *Melanesian Soc.* i. 264 sqq., 290.

blood-kinship than on the clan. The ownership and use of magical formulæ is commonly inherited, and tends to be transmitted from father to son. Where, as in the Trobriand cluster of islands, maternal descent prevails, these formulæ are divided into two classes. One class is bound up with a given locality, such as magic for promoting the growth of garden produce, the making of rain (to be performed at a definite place), war-magic and fishing rites, both to be performed by men belonging to certain places. These are all heritable in the female line; they form the more important class. The other class—medical spells, love-magic, and spells for various other purposes—are transmissible from father to son, or even to strangers. The clans on these islands seem to be identified with definite villages; whence it is to be inferred that a woman does not leave her village when she marries, but remains and transmits her membership and rights to her children.[1]

This was the usual arrangement on Rotuma, a tiny island about 280 miles north of Fiji inhabited by a population which appears to be a mixture of Melanesians and Polynesians. Each *hoag* (clan or family) dwells by itself in a village ruled by a *pure* or head, who is usually the brother of his predecessor, or its oldest member of pure descent. The *hoag* is exogamous. On marriage the bridegroom enters his wife's *hoag* and comes to live with her. The children belong to their mother. A big chief or head of a clan, or a man belonging to a very rich *hoag*, would take his wife to his own *hoag*, subject to the consent of the *pure* of both *hoag*. The husband only remains in his wife's *hoag* during her life: on her death he is pushed out of one doorway of the house as the corpse is

[1] Malinowski, *J.R.A.I.* xlvi. 388 sqq.

carried out through the other, signifying that he has now no right in it. But apparently his children by her remain. The land is vested in the *pure* for the time being, and is divided year by year and cultivated by the members of the *hoag* under his directions, private property in land being unknown. Private property to some extent exists in domestic animals and articles made by a man's labour. These seem to be entirely at his disposition, and are usually given by him at death to some relation or friend who may have been taking care of him.[1]

In Tikopia, an island where the clan-system, though decadent, still prevails, patrilineal descent and inheritance, as well as succession to the office of chief, are found; but the functions of the maternal uncle are extensive. The mother of a child is also taken, ten days after delivery, to her parental home, where she stays for another period of ten days.[2] We shall find elsewhere a similar custom at childbirth. It is usually regarded as a relic of matrilineal institutions.

Among the immigrants who have gone to form the compound we know as the Melanesians, a foremost place is doubtless to be given to the Polynesian race. This race occupied most of the Pacific islands from Hawaii to New Zealand. Their line of descent, when first known to Europeans, appears to have been arbitrary. Most of the divinities were divinized ancestors. A child at birth was dedicated either to its father's gods or to its mother's; and this determined the family to which it belonged. The tendency, however, was to dedicate it to its father's gods. It results that descent, and social arrangements, so far as they were dependent on descent, were in a state

[1] J. S. Gardiner, *J.A.I.* xxvii. 429, 478, 480, 485.

[2] Rivers, *Melanesian Soc.* i. 303, 306, 308, 312, 315, 340.

of transition. That the original line was that of female descent is clear from the customs of various islands. In particular, we are told of New Zealand that, among the Maories, a child was considered to belong to the family of the mother more than to that of the father.[1] One of the characteristics of maternal descent, though not a conclusive test, is matrilocal marriage. In New Zealand, among at least the higher ranks, capture of a bride by force was the favourite means of obtaining a wife. The simulation, indeed, of capture was usually part of the marriage ceremony, even when all parties were willing. Alternatively a father might simply tell the suitor that he might come and live with his daughter ; if he did so, she forthwith became his wife, he lived with his father-in-law, was reckoned as one of his father-in-law's tribe, or *hapu*, and in case of war was often obliged to fight against his own relatives. So common, in fact, was the custom of matrilocal marriage that it frequently occurred, when the husband refused to live with his wife's relatives, that she would leave him and go back to them. Cases were often known of husbands who tried to break through the custom, and lost their wives in consequence. The children of a matrilocal marriage remained with their mother's people, became part of her family or clan, and inherited her lands.[2] If a child met with an accident, whether serious or trifling, the mother's clan was instantly up in arms, visited the father, who was deemed responsible, with a legalized plundering excursion, that might leave him almost without the means of subsistence, and attacked him personally until blood was drawn.[3] *A fortiori*, in case the father killed his child, he was liable to

[1] *Old New Zealand*, 110.
[2] Taylor, 336, 337, 354.
[3] *Old New Zealand*, 108.

the vengeance of the child's clan. The same would happen if he killed his wife, though the authority of a husband and a father was such that he might do the one or the other, but for the dread of vengeance.[1] The institution of chieftainship and the respect for rank were everywhere among the Polynesians highly developed, and nowhere more so than in New Zealand.[2] A chief's rank was descendible in the paternal line. In fact, a chief's son was deemed of higher rank than his father. He had one more illustrious ancestor; and the taboo which encircled and defended his father with mortal terrors, encircled and defended him also from his earliest hours. As a chief grew old he generally resigned his authority in favour of his eldest son.[3] The land of a district belonging to a tribe or clan was as a rule held in common. If any one held a portion in severalty, on his death it reverted to the common stock. This rule, however, seems to have been decadent. Lands were claimed by individuals. In such a case a dying declaration, or what would be called in England a nuncupative will, would divide it among those whom the dying man desired to benefit, generally his sons; and this wish would be respected.[4] If a woman owned landed property it would descend to her children, or in default of children to her brothers. In spite of what has been said above about a father's consent to his daughter's marriage, it is stated that her brothers were the persons whose consent it was most necessary to obtain, the parents having comparatively little to say to the matter. The reason assigned for this is

[1] Polack, i. 36, 32.

[2] *Ibid.* 37.

[3] *Ibid.* 27, 47 sqq., ii. 61; Taylor, 351–2. Cf. Ellis, *Pol. Res.* i. 260.

[4] Taylor, 356; Shortland, 273.

that they alone had the power to endow their sister with any portion of the family inheritance.[1] Both are probably to be accounted for by their powers under mother-right. The reports of the prohibitions to marriage on the ground of consanguinity are contradictory. On the one hand, it is said that marriage with certain near relatives would have excited as much horror as among ourselves. On the other hand, it is asserted that marriages between near relatives are not infrequent; and a case is even quoted of a brother and sister living together as man and wife. It is, however, significant that they were children of different mothers, though of the same father.[2] Such marriages are often recognized among matrilineal peoples. The Sandwich Islanders, it may be noted, were certainly not averse to consanguineous marriages. It is doubtful whether the Maories possessed the clan-system. At any rate the clan, and with it totemism, were decadent before the advent of Europeans throughout Polynesia. In Tonga, according to Mariner, who was a captive there in the early years of the last century, descent was reckoned through the mother, though the islands were ruled by chiefs, who owed their position probably to recent conquest, and whose rule of succession was patrilineal.[3]

The groups of islets known as Micronesia, situate in the Pacific Ocean under and to the north of the equator, are generally in possession of matrilineal institutions. On some of the islands there is little or no distinction between legitimate and illegitimate children. In the Caroline group, we are emphatically told, "the children are real children only to the mother; to the father, on the other hand, they are

[1] Shortland, 140, 273. [2] *Ibid.* 142; Polack, i. 138.
[3] Mariner, ii. 88 sqq., 98. Cf. Rivers, *op. cit.* ii. 236.

strangers not belonging to his kin. In case of war between two kins, father and son take opposite sides as enemies."[1] The tendency to father-right has, however, begun to make inroads on the earlier organization. On the island of Yap it has finally conquered it. We are told that the children belong to the father, and property and dignities descend from father to son. But another account, apparently of equal authority, declares that the totem descends through the mother. The husband can sell his wife for either of two grave offences—adultery, or disrespect to her mother-in-law. Yet separation is easy and common: either spouse can require it; only it must have some ground, however trivial.[2] In many of the islands matrilocal marriage is found. In Nauru, one of the best known islands, the reports are conflicting: probably the custom is undergoing change, and the wife is now taken to her husband's residence. In the same island, where maternal descent prevails, payment for bloodshed, and presumably therefore the duty of blood-revenge, falls not to the children, but to the brothers and sisters of the victim. Inheritance, even succession to the chieftainship, does not go from father to son: while the latter falls to the daughter's issue, inheritance of property goes to the clan, to avoid which the father often in his lifetime divides his land among his sons, if they take care of him. Patrilineal descent is obviously making way. The clan-system, with totemism and exogamy, is in full force on most of the islands.[3] In the Pelew Islands the people are divided into exogamous clans with

[1] Wilken, *Vers. Ges.* i. 398.

[2] *Globus*, xci. 141, 142; *Anthropos*, viii. 609, 627; *L'Année Soc.* iv. 328.

[3] *Globus*, xci. 57, 75 sqq.; *Zeits. vergl. Rechtswissenschaft*, xiv. 422.

female descent. Every family or clan traces its common descent from a woman; and the women have an importance in social and political life of which there are some, but only a few, other examples. They enjoy at least a complete equality with the men, if they are not superior to them. The eldest women of a clan exercise decisive influence on the conduct of its affairs, foreign as well as internal; and the headman dare do nothing without consulting them. Nay, they are said to be treated in their lifetime as equal to the deities—and the deities seem to be all female, male gods being of later introduction. This unusual predominance of the women, doubtless rooted in maternal descent, has been achieved and prolonged from economic causes. The staple food of the islands is taro, which is cultivated entirely by women. Even the richest woman of the village looks with pride on her taro-patch; and though she may have assistants enough to do the work, she does not disdain herself to set an example to them by working in the fields, dripping with sweat and covered with mud. Moreover, it is the women who are the priestesses, invoking the deities and acting as their mouthpiece.[1]

[1] Christian, 74; *Anthropos*, iv. 106, 107, viii. 609, 627; Frazer, *Adonis*[3], 204, citing Kubary.

CHAPTER VII

AFRICA: NEGROES AND BANTU

TURNING from the islands of the Pacific to the swarming fields of Africa, we find that great continent south of the Sahara occupied by two allied races, the true Negroes from the Sahara to the Gulf of Guinea, and southward of these the Bantu over the immense territory stretching down almost to the Cape of Good Hope. The latter are a mixed race, embodying elements not only of Negro origin, but also Hamitic, and perhaps others in varying proportions.

The earliest social polity that we can trace in Negro institutions is one which reckons descent exclusively through the mother. A number of influences, however, chief among which is the spread of Islam, have made inroads upon the system; and we find Negro institutions in various stages of transition to some form of father-right. Probably all the Negroes are, or were originally, organized, like the Tshi-speaking peoples of the Gold Coast, in totemic clans, deriving their names from the animal, vegetable or other object which happens to be their totem. They are for the most part divided up among quite small communities independent of one another. A powerful chief as the head of his clan assumes, as among many tribes of Bantu, the title of the totem. Thus the King of Ashanti had the title of *borri*, a kind of venomous snake.[1] On the Gold Coast a wife is required to be a

[1] Ellis, *Tshi*, 204 sqq.

virgin at marriage, and adultery is severely punished: both notes of the supremacy of the husband which point to incipient father-right.[1] She is taken to reside with her husband, but on the approach of childbirth she goes home to her mother's house, where the child is born.[2] The children belong to the mother; and if, as happens often, the parents separate, the children go with her. It is not surprising, therefore, that while an intensity of affection is felt for a mother, the father is hardly known to his child, or is disregarded, however wealthy and powerful he may be.[3] Members of a family are liable to be pawned by the head of the family for a debt, and in that way to become for the time slaves. But a father cannot pawn his child by a free woman, still less can he sell him, without the consent of the mother and her family: a mother, on the other hand, may pawn or sell a child without his father's consent, if the father be unable or unwilling to give her the sum she requires.[4] A man's next of kin who succeeds to his property in case of his death is his brother born of the same mother, or failing him his sister's eldest son, and so on in the order of birth. Only in default of nephews can a man's son succeed.[5] Among the Fanti he cannot even then succeed; he is supplanted by a slave of the family. A son can only succeed to his mother's property.[6] Strictly speaking, however, succession can be predicated only of property acquired by the decedent himself. In the case of a family owning ancestral property there is no succession in Fanti law. The whole family, consisting of males and females, constitutes a sort of corporation, of which the members

[1] Ellis, *Tshi*, 282, 283, 286.
[2] *Ibid.* 232.
[3] *Ibid.* 284; *J.A.I.* xxvi. 145.
[4] Ellis, *op cit.* 294, 295.
[5] *Ibid.* 298.
[6] Sarbah, 86–7.

who are not merely dependants would be entitled in the event, very rarely happening, of partition to share in the family property. Meanwhile the property is vested in the head of the family, generally the senior male member, appointed from time to time by election, and is administered by him for the benefit of the entire family. Such property, unless movable, cannot be alienated except with the consent of all the principal members of the family. But property acquired by a man by his own efforts may be sold or disposed of as he pleases; and at the present day death-bed dispositions are recognized.[1]

For the fullest account of the Fanti laws we are indebted to the private enterprise of a native barrister. Further to the west the French Government has had the wisdom, for its own administrative purposes, to investigate the customs in force along the Ivory Coast and in the hinterland under French authority, and to publish the results in a handsome volume, which must be of service to the colonial official. The anthropologist also has cause to be grateful for it. If the Fanti laws disclose a community in which father-right has made only a limited headway, the laws of the Alladians, a population inhabiting the low-lying lands adjoining the seashore, exhibit one in which the mother's influence has still greater predominance. For among the Alladians, although there is, as among many other African peoples, unlimited polygyny, although the wife must work on her husband's plantations, prepare his food, and follow him where he may choose to reside, and although there is a high value set upon a virgin-bride and upon a wife's fidelity—all of them notes of father-right—this enmueration, in the absence of other and more vital characteristics of

[1] Sarbah, 85, 34, 67, 74, 77, 82.

patrilineal institutions, only serves to prove how thoroughly mother-right is the natural organization of the people. We find it expressly laid down that the appearances of an ordinary civilized family by no means correspond with the reality: the authority of the father as head of the family scarcely exists; if he die his wives will go back with their children to their own relatives—the same thing will happen in case of divorce—and it will go hard if the children are able to recall as their father him who has been their mother's husband. For in truth the family is reckoned only through the mother, the social organization of the tribe is based on such reckoning, paternity gives no rights over a child, and in the Alladian sense of the word the child is no relation to his father. The members of a family are technically called the *Etiocos*; the true head of the family is the eldest of these *Etiocos* (not the mere head of a household), and that head may be a man or a woman. Moreover, there is no such thing as a relationship by affinity, relationship by marriage creates no bar to future alliances—it simply is not recognized. Marriage depends as much upon the bride's consent as upon that of the *Etiocos* or of the bridegroom, though she can legally be given to her husband before puberty. It is effected by the presentation on the part of the suitor to the relatives, of gifts which may be regarded as purchase-money; and the defect of virginity, whether discovered before or after the marriage, merely reduces the price. All children, however begotten, are legitimate, all can inherit from the *Etiocos* of their mother. The father cannot pledge or otherwise dispose of his child; the maternal uncle may pawn his nephew at any age; he may compel him to reside with him and obey him; he is his tutor as long as he is a child.

The mother may pledge her children for her debts, but not without the consent of the uncle or the head of the *Etiocos*. Property is always in principle individual, even when in appearance collective. The head of the *Etiocos* may dispose as he pleases even of family property. On a death the eldest of the *Etiocos* is the heir, whether man or woman ; but if the deceased has expressed before witnesses any testamentary wishes, they are generally respected. Successions to the chieftainship appear to be governed by the same rules. A wife is entitled to hold property apart from her husband, to earn property for herself by her labour and to dispose of it as she will. If a man already married desire to add to his harem he makes a present to those wives he already has, and consults them as to his choice, though he is not bound by their disapproval.[1] But generally in Africa a wife does not offer opposition to her husband's polygynous desires, because if they rob her of much of his company, on the other hand they lighten her labours by sharing them among a greater number of hands.

From this example of mother-right in a high degree of development the gradations in the French territory of the Ivory Coast to the opposite organization of father-right are numerous. All the northern half of the territory is occupied by various tribes converted to Islam. The law of the Prophet which consequently controls them is not, strictly speaking, father-right, since kinship is recognized through both parents ; but the father rules the family, and the law gives precedence to him and to his male relatives. The heathen Krumen of Sassandra on the southern coast also reckon kin on both sides, but the maternal line has relatively little importance.[2] Their congeners,

[1] Clozel and Villamur, 391 sqq.

[2] *Ibid.* 495.

the Krumen of Cavally, do not recognize it at all. In both cases the polity is founded on unlimited polygyny, and is the precise converse of the mother-right of the Alladians. Yet it resembles the latter in making no distinction between legitimate and illegitimate children. All the children in a family are welcome, all are accepted by the husband as his children, even those born during his absence, however long, even those whom he knows he cannot have begotten. In conformity with this value placed on children, it is not strange that no importance is attached to virginity in a wife; in fact, that a woman's value in the marriage-market at Sassandra increases if she be a widow or have been divorced. Nor is the wife's infidelity to her husband of much more consequence than the husband's infidelity to her. If the husband be not an old chief, things are generally arranged quite comfortably—at least at Sassandra—on her sharing with him the generosities of the lover. It is rare to find a really jealous husband; and it is probably little different at Cavally. But the lover may be proceeded against for damages; that is another matter.[1] Property is divided into collective, belonging either to the family or the tribe, and individual. The former is what we call real property; it is inalienable and is managed by the chieftain of the tribe or head of the family for the time being. Individual property is inherited by the eldest brother of the deceased, or failing him by the eldest son or nephew. It vests in the head of the family only if the deceased held that position. In no case can a woman inherit.[2]

Togoland, lately a German appanage, is inhabited by branches of the Ewhe-speaking race. Originally they were organized on the basis of mother-right, and

[1] Clozel, 507 sqq., 511, 497 sqq. [2] *Ibid.* 500, 515.

those Ewhe who occupy the British portion of the Slave Coast are so still.[1] In Togoland some of the tribes have gone over to patrilineal institutions, but even they retain abundant traces of the previous stage. Among the Hos, as frequently in Negro peoples, the mother's love is supreme. Her care for the children exceeds that of the father. She will never allow her children to be pledged for debt : the father will pledge them without compunction. The children regard her above their father ; and next to her love is that of brothers and sisters, the children of one mother. They never forsake or betray one another.[2] If a man be wounded by a wild beast in the bush and brought home to linger and die, it is his brethren on the mother's side who pay for his care and the attentions of the medicine-man. The poorest person is buried by his uterine brothers, though the richer may be buried by those on the father's side, a public and solemn ceremony with slaughter of animals and feasting.[3] It is not the duty of a husband to bury his deceased wife, but of her brothers on the father's side. Presumably if not a rich woman this would be done by her uterine brothers. A man who has to appear before a tribunal looks to his mother's brother for support. The mother's brother is liable to pay the debts of one who falls in the bush. The bride-price of a girl is paid in palm-wine, and her maternal uncle gets the same quantity as her father.[4] In Anecho a deceased man's farmland and house fall to his own children ; but in the country districts the farmland and houses acquired by a man fall to his sisters' children. His movable property is divided between the children of all his sisters by the same mother. A woman's property

[1] Ellis, *Tshi*, 207.
[2] Spieth, 182, 568.
[3] *Ibid.* 286, 262, 258.
[4] *Ibid.* 388, 688.

goes after her death to her own kindred ; her husband gets nothing, not even the gifts he had made to her in her lifetime. The relations on the mother's side are responsible in the blood-feud.[1]

The Lobi of French territory adhere to maternal descent. In case of war between two clans members of which have intermarried, the sons must range themselves on the side of their mother's clan ; they must fight and even kill their father if need be. After marriage a woman continues to live at her parental home, and does not follow her husband until the first little one can walk. Even then her authority in the family is greater than the father's, which is often nominal. The person who has real authority is the mother's eldest brother ; he provides for his nephews' needs and bears the cost of their marriage, while the father gives them nothing. It is to his maternal uncle, not to his father, that a Lobi looks for succour in time of want : if he were refused he would deem himself authorized to steal from his uncle what he required. In return, when a man becomes infirm and unable to manage his own affairs, his brother, if he have one, or his nephews take possession without any further formality. The poor man then becomes dependent on them ; and after despoiling him they can with the aid of a little poison comfortably dispatch him to join the ancestral shades. The owner usually keeps all the property he can until his death. Then it falls to his uterine brother, if there be one, and to the sons of his sisters. His own sons do not inherit, unless there are no heirs whom we should call collateral. On the death of a woman her brothers, or in default of brothers her sons, succeed to her property. The

[1] *Zeits. vergl. Rechtswissenschaft,* xxvi. 100, 102, 103, 120. Cf. Spieth, 785.

Lobi till the ground, keep cattle, are acquainted with the use of cowries as a medium of exchange; and individual property is the dominant, if not the only, property known to them. We thus find mother-right existing in unimpaired force in an agricultural and pastoral society.[1]

The Yoruba who, since the beginning of the last century, have come down from the north and colonized the Slave Coast, have like the Lobi a comparatively advanced civilization. Unlike them, they have abandoned mother-right, probably under the influence of Mohammedan tribes with which they appear to have been in contact in their previous habitat. This has brought about the downfall of the clan-system. They recognize consanguinity on both sides, though still by many of them children of the same father by different mothers are scarcely considered blood-relations. Dignities descend from father to son. When a man dies his property is divided between his sons. "The daughters have no inheritance in their father's house, but they divide between them the property of their mother"; for the property of a wife is always separate and distinct from that of her husband. These and other customs appear to be relics of the former organization.[2] In confirmation of which it may be added that the Negroes in Surinam, largely the descendants of Yorubas carried across the Atlantic as slaves, still practise mother-right with but little intrusion of paternal institutions.[3]

It is needless to examine the customs of other Negro peoples. Whether under British or French, or lately under German, overlordship, they all tell the same story. Where they no longer have a maternal

[1] *R.E.S.* ii. 209, 212–7. [2] Ellis, *Yoruba*, 174 sqq.
[3] *Zeits. vergl. Rechtswissenschaft*, xxvii. 392 sqq.

organization their customs betray its former existence; and even conversion to Islam, as among the greater part of the Hausas, has not availed to root it out entirely.

Among the cognate Bantu matrilineal descent prevails all down the west coast, but upon the eastern side of the continent generally paternal institutions have vanquished it, and in the interior all stages of development from mother-right to father-right may be found. The unfortunate Herero of South-West Africa, deliberately and brutally massacred and almost all destroyed by the Germans a few years ago, had a twofold organization. In the paternal line the *oruzo* (pl. *otuzo*) reckoned all ascendants and descendants through males only. The wife was taken to her husband's kraal. It is said she even entered his *oruzo* or patrilineal clan, though this is doubtful. The *oruzo* was distinguished by the mode of dressing the hair of its members, by its food-taboos and rules of sacrifice, and by the colour and shape of the horns of the cattle kept by its members. These peculiarities appear to be totemic, though of a totemism divergent from that usually met with. Over-against the *oruzo* stood the equally definite *eanda* (pl. *oma-anda*) or matrilineal clan, descendible exclusively through women. This also is totemic, though apparently the totemic usages have all been taken over by the *oruzo*. Yet it can appeal to the traditions of the people for evidence of its antiquity. The Herero are said to have originated from an *omumborombonga*-tree in the far north-east of the country. A human pair sprang from this tree. Their daughters obtained their names from certain objects of the external world with which they came into contact. They were by this means blessed with female descendants, who in turn entered

into contact with similar objects and transmitted their names to the *oma-anda* descended from them. Every Herero was a member at once of his father's *oruzo* and his mother's *eanda*; for whether a married woman entered her husband's *oruzo* or no, she never quitted her native *eanda*. If she entered her husband's dwelling on marriage she returned to her mother's hut for the birth of her offspring; and her brother became the guardian of her children. As among many peoples who reckon kinship on the classificatory system, the mother's sister was, like her, called mother, and conversely she regarded her sister's children as her own, while they and her own children called one another brothers and sisters. Marriage within the *eanda* was formerly forbidden; and though the prohibition was falling into neglect, such marriages remained always exceptional. The blood-feud is carried on only by the *canda*. When a man is slain his avengers are his brothers and mother's brothers; when a woman is killed they are her sons, brothers and maternal uncles. And the objects of their vengeance are the guilty person and his *eanda*: the *oruzo* in either case has nothing to do with the matter. The chief property of the Herero was their cattle, on which they depended for their livelihood, and of which they were first cheated and then robbed with violence in pursuance of the determination to annihilate a helpless people who stood in the way of German greed, and offered a convenient mark for German brutality. Cattle were usually heritable only on the paternal side. But if that side failed they went over to the *eanda*; and the *eanda*-heir could take them to his own kraal on performing a religious ceremony, through which he incorporated them, as it were, with his own *oruzo* inheritance. This was,

of course, individual property; but side by side with it, it is asserted by subsequent investigators, was a stock not privately owned, but held by the *eanda* as a quasi-corporate body, and not subject to inheritance. The *oruzo* was essentially an individualizing institution, based on the worship of ancestors and of the hearth, and attributed to the *nganga*, that is to say, to the influence of the medicine-man. All indications point to the priority of the *eanda*. The twofold organization is manifestly the result of a conflict between matrilineal and patrilineal institutions. It is recent in origin, but probably began when, or shortly before, the Herero penetrated to the possessions where the Germans found them, an event, or series of events, which happened not more than five or six centuries ago, and which has been by some assigned to little more than a hundred years since. Had the conflict been of ancient date its results would have been worked out by the developments of time to a more or less symmetrical conclusion.[1]

Beginnings of such a conflict are to be traced higher up on the West Coast among the Bafiote of Loango. There the husband takes the wife to his own dwelling, as almost universally in South Africa; but the organization is strictly on the line of maternal descent. Royalty and all princely families, equally with the families of the common people, are continued only through the mother; and no difference is made between legitimate and illegitimate children. Yet the paternal line seems to be in some way recognized, though clearly distinguished from the maternal line. The family relationship rests on birth, on the unity of the flesh and blood; and possessions are inherited

[1] Dannert, 11 sqq., 21, 33, 47, 58; *Rep. Natives of S.W. Africa*, 30–9; *S.A.F.L. Journ.* i. 40 n., ii. 92.

through it. Paternity, on the other hand, seems to be connected in the native mind with some obscure speculations on the subject of the soul, which is held to be conferred by the union of the sexes, whereby the ancestral souls are reincorporated, or as it has been suggested the ancestral chain, the soul of the race, is continued. This view is phallic in origin, and probably connected with the worship of ancestors. Yet we are told that the paternal kin is not in the least a religious, but rather a political organization. Viewed in the mystic light of a spiritual connection it would at any rate tend to draw together the children of a polygynous family, counteracting to some extent the natural affection for the mother and uterine brothers and sisters which, as we have seen else where, is heightened by matrilineal reckoning; and it would spread the sentiment of kinship over a wider area.[1]

The Bantu tribes in the centre and east of South Africa have gone much further. They have passed into a frankly patrilineal stage, usually almost into full father-right. Yet they have retained customs hardly to be explained unless as remnants of a previous form of organization in which kindred was matrilineal. Marriage is effected by the payment of a bride-price on behalf of the intending husband. The effect of the payment is twofold: it entitles the husband to the possession of his wife at his own kraal, thus legalizing the marriage; and it gives him the right to the offspring of the marriage. Without the payment the lover gets neither exclusive possession of the woman—she is not married to him—nor is he entitled to reckon the children to his family. But among the Basuto the wife, though she resides with her husband, when

[1] Pechuel-Loesche, 187, 467 sqq.

for the first time pregnant and the time of her delivery draws near, returns to her mother's home, where her child must be born or it is believed that it cannot grow up; and there she gives birth to it. When the baby is a month old she takes it to her husband's kraal, but as soon as it is weaned it is sent back to her parents, "to whom it will in future belong," despite the bride-price her husband has paid for her.[1] This seems a relic of a practice such as prevails among the Bahuana of the Congo Basin. There the people are matrilineal, but the wife always resides in her husband's home. As the children reach puberty they are sent to the maternal uncle's home and become part of his household.[2] The rights of the Basuto maternal family are, for the most part, centred in the brother of the child's mother. He is called the *malume*, and enjoys special rights not only over the first but over all his sister's children. It is his duty to protect them and to purify them, when they need purification, by means of sacrifices offered to the maternal ancestors. At circumcision he presents his nephew with an assegai and heifer. He pays part of his marriage expenses; he presides at his funeral. In return, he is entitled to a share of the spoil taken by his nephews in war, of the game they kill, and of the cattle paid as bride-price for his nieces. Indeed, the whole bride-price of the niece who is a first-born child goes to her mother's family, for, as we have just seen, she belongs to it.

In the Thonga tribe it is the *malume's* duty to prepare the skin in which the mother carries her first child. When the child is weaned, though it does not, as among the Basuto, become a permanent part of its

[1] Casalis, 191, 181; *Zeits. f. Ethnol.* vi. 39.
[2] *J.A.I.* xxxvi. 285, 286.

mother's family, it goes to stay at their kraal and remains there for years. If a girl, the *malume* has nothing to say on the choice of a husband for her—that rests with her father. But he is entitled to a portion of the bride-price; and the father dare not refuse it, lest the maternal ancestors kill him or render his daughter barren. The latter consequence might lead to divorce; or at least the parents might be required to find another wife for her disappointed husband. When the bride-price is received, the *malume* and all the mother's relatives are invited to the feast, and are entitled to a special part of the ox that is slain for the occasion. They have to provide certain objects which form a definite part of the bride's outfit; and when she is led to her husband's kraal they are entitled to another gift. Divination sometimes indicates that sacrifices (especially for a sick child) must be offered to the maternal ancestors; and then it is the *malume* whose duty it is to perform them.

In the northern branch of the tribe at the final ceremonies after a death the *malume* of the deceased purifies the surviving members of the family. Most remarkable of all is perhaps the right of a brother over his sister when he has no children. On the father's death his son takes his place as head of the family. In this capacity he is his sister's guardian. In a tribe organized on matrilineal lines he would succeed not to his father, but to the *malume*. Having succeeded, if he be childless he may refuse to allow a sister to be married, by declining to accept the bride-price for her. He undertakes the husband's duty of burying her in case she dies. Meanwhile he allows her (indeed, expects her) to have lovers and to give birth to children. But these children will belong to their mother's family,

not to their father's. The *malume* appropriates the sons; they take his totem, they continue his line and inherit his property. On the other hand, a woman's lawful children have special privileges with regard to their maternal uncle. They take a prominent part in the sacrifices to his ancestors, thus asserting their membership of his family. His nephews are on terms of familiarity with him. They may take any food they like from him without asking permission. They are addressed by his wives as "husband." After his death they will be given certain of his widows, though any children that may result will be counted as his (see pp. 15, 16).[1]

In Central Africa we find all grades of development from pure matrilineal descent up to patrilineal descent with few relics of the previous organization. We will, however, pass to the Baganda, who are among the northernmost of the Bantu peoples. They carried Bantu civilization to the highest point achieved before the coming of the White Man. Among them "descent was reckoned through the male line; children were members of the father's and not of the mother's clan."[2] A woman's children, however, "were taught in infancy to respect her totems, and to avoid them"—that is, to act as if their mother's totem were also theirs—"but when they grew up they adopted their father's totems and seldom mentioned those of the mother."[3] Adoption implies choice. The choice may have become so universal by custom that it was at last unconscious. To conform to it may have been looked upon as compulsory. But however unconscious the

[1] Junod, *S.A. Tribe*, i. 44, 58, 253 sqq., 162, 164.

[2] Roscoe, *Baganda*, 82. Yet the common oath was, "By my mother." *Ibid.* 268. Compare the Herero oaths, Meyer, 39.

[3] *Ibid.* 128, 129.

choice had become, it is clear that the transfer itself from the mother's totem to the father's remained perfectly conscious, and that it took place as an act of adolescence. It was a step to adult life with its full rights and duties. Such a transfer is hardly to be explained, unless at one time it was a deliberate choice. If so, it must mean that paternal descent had supervened upon mother-right and had conquered it. But this is not all. Though paternal descent was established, "a man was forbidden to marry a woman from his mother's clan, because its members were regarded as his near relations."[1] The Rev. J. Roscoe, the careful and experienced missionary, to whom we are indebted for this information as well as for most of our knowledge of the inner life of the Baganda and the adjacent tribes of the northern Bantu, does not use the word *family*, as if the prohibition were confined to marriage within the immediate circle of the mother's kin, and were founded on a recognition of relationship and a supposed horror of incest in our sense. The prohibition extended to her entire clan, to every member of that body that shared her totem—in other words, to all those with whom intermarriage is forbidden where exogamic mother-right is the social organization. It is curious too that this appears to be the only trace of totemic exogamy. We are nowhere told that a man was forbidden to marry within his father's clan. His father's brother's children were reckoned his brothers and sisters; presumably he might not marry his sisters. There were other women whom he might not marry, or even approach. They were all near relations in our sense of the word—his father's sister's daughters and his mother's brother's daughters—or else his wife's mother. On the other

[1] Roscoe, *Bag.* 128.

hand, his mother's sisters' children were his brothers and sisters too.[1] Unless they happened to be children also of his father's brothers, this would be irreconcilable with pure patrilineal descent. But it is exactly what is found in a matrilineal community. Examination of these rules, therefore, confirms the inference that the original organization of Baganda society was matrilineal; it adds the impression that in the transit to a patrilineal polity, the principle of exogamy had broken down and tended to be replaced by a system of forbidden degrees, founded on a more civilized and accurate appreciation of consanguinity.

The inference is further strengthened by the position of the mother's brothers. They were all held to be related to her children. Their wives were called the wives of her sons; and if the latter had no marital privileges during their uncles' lives, they inherited the widows. The sister's son had likewise an important function to perform at his uncle's funeral. Their position is thus similar to that of the uncle and nephew among the Kaffirs of South Africa. It was also the bride's brother with whom a suitor negotiated for a wife, whether she was unmarried or a widow; and he it was who ultimately handed her over to her husband or his representative. The father had nothing to say in the matter.[2]

To the rule of patrilineal descent, moreover, there was one significant exception. Every prince belonged to the clan of his mother, not of his father, and took his mother's totems. He was held, it is true, also to belong to the Lion and Leopard clans, and took these

[1] Roscoe, *Bag.* 130, 131.

[2] *Ibid.* 129, 121, 87, 90, 96. The father's brothers' wives, on the other hand, were *mothers* to his children. Cf. Frazer, *Totemism and Exog.* ii. 510–3.

totems as well as that of the Eagle, though in fact there was no Eagle clan. To the present time the various clans "speak of having given birth to such and such kings and claim them as members of their clan," of course through the mother. The Kingdom of Uganda was ruled by a line of monarchs who seem to have been of foreign, probably Hamitic, origin, and who conquered the realm. To this conquest the introduction of paternal descent has been ascribed. How did these kings square their paternal descent with the native Bantu custom? The kings of the adjacent realm of the Banyoro had the same puzzle from the same cause. *They* solved it by marrying their half-sisters, daughters of the same father by different mothers. The offspring of such a marriage would be the children of the royal house, whether reckoned through the mother or through the father, and thus they took their places as legitimate heirs to the crown. The kings of the Baganda solved it otherwise. The queen, to be sure, was always one of the king's half-sisters; but she was never allowed to have a child. The king's children were born from other ladies of his harem. To none of these ladies was he married; hence none of his children was strictly legitimate. But this, as we have seen, is often of no consequence in a matrilineal society. The king acknowledged all his children, thus constituting them princes and princesses; and his successor was chosen on his death from among his sons.[1] The arrangement in fact seems to have been an elaborate machinery for preventing the royal dignity from becoming the permanent appanage of any single clan, as it had in fact become among the Banyoro. It may be conjectured

[1] Roscoe, *Bag.* 84, 85, 133, 187; ibid. *North. Bantu,* 36. Cf. Frazer, *Totemism and Exog.* ii. 524.

that it was by the mutual jealousy of the clans, and their competition for the honour of contributing a claimant to the throne, that the matrilineal clan-reckoning of the royal house was preserved amid the common wreck of maternal institutions.

CHAPTER VIII

INDIA

THE continent of India has been inhabited from before the dawn of history by at least three distinct races; and a minute examination shows that others have at different times come down from the north, conquering and mingling more or less with one or other of these. The original occupants of the peninsula were the Dravidians and Pre-Dravidians, both very dark and long-headed peoples, the latter in a very low stage of civilization. The Aryan-speaking people, who are now dominant throughout the north and in some other districts, were much more highly civilized, as well as lighter of colour and quite different of physique. They entered from the north-west, and conquered and settled a large district of Upper India, ultimately in course of time, and as the issue of numerous struggles which are reflected in their literature, or perhaps rather by persistent cultural penetration, permeating the greater part of the country. The Dravidians were probably all of them matrilineal. Of them the Nâyars of Southern India are the classical example of mother-right. They were originally the dominant people in Malabar, but have now become recognized as a caste in the Hindu social hierarchy; and, as will be seen immediately, they have received a large infusion of Aryan blood. As in other castes, the number of sub-divisions is considerable, for every caste in India has

an ineradicable tendency to fission. What is material for our present purpose is that the various sub-castes of the Nâyars are divided into *taravâds*, or families, descendible only through women. Every girl is required to go through a ceremony called Thâlikettu, or the tying of the *tali*, now under Brahmanical influence usually performed before puberty. The *tali* is, like the ring in Europe, the symbol of marriage. A *tali*-tyer, or bridegroom, is chosen by the family, and where, as often happens, a number of girls undergo the ceremony at the same time, he officiates for all of them. The ceremony being over, he receives his fee and departs. There seems some doubt whether he is at liberty to cohabit with the girl for whom he ties the *tali*; but now at all events he does not generally do so. On the fourth day, for the ceremony lasts so long, the girl's wedding-dress is torn in two, which signifies the dissolution of the marriage between her and the *tali*-tyer. This sets her free to choose another, and real, bridegroom. The union with the latter is terminable at the will of either party, but is said to be generally happy and enduring. In South Malabar the husband does not reside with the wife: he only visits her at her own family home. He has no responsibility for the children, who are maintained by his wife's family, though he is expected to make frequent gifts to his wife. The children do not inherit from him, but from his wife's brothers. Whether a wife may have more than one husband at a time is hotly disputed by Nâyars. The truth seems to be that polyandry was common in former times, but has become by the advance in civilization and delicacy of feeling obsolescent, or in most places wholly obsolete and repugnant to the present generation. The Nambutiri Brahmans have taken advantage of the Nâyar social

organization to cohabit with the women of the higher sub-castes. The Nambutiris are a sacerdotal and landowning aristocracy, doubtless Aryan in origin, who have virtually subjugated the Nâyars. They are patrilineal, and to maintain their position the eldest son alone in a family enters into lawful wedlock, as that is understood by the Brahmans. To prevent the younger sons from being condemned to celibacy in the interest of the caste they are allowed to contract unions with the Nâyar women, which, though often consecrated by real affection and long continuance, and quite regular by Nâyar custom, are not celebrated with Brahman rites and are looked upon by Brahman law as irregular and conferring no rights upon the issue. This is emphasized in North Malabar, by the custom of performing a special ceremony to enable the bridegroom to take his wife to live at his house—a ceremony, however, which gives her no right in her husband's property, no part in his funeral rites. On the contrary, in case of his death she must leave the house at once and return to her own home. The result is, as Francis Buchanan, who travelled in the district more than a century ago, says: "In consequence of this strange manner of propagating the species, no Nâyar knows his own father, and every man looks upon his sister's children as his heirs. He indeed looks upon them with the same fondness that fathers in other parts of the world have for their own children; and he would be considered an unnatural monster were he to show such signs of grief at the death of a child, which, from long cohabitation and love with its mother, he might suppose to be his own, as he did at the death of a child of his sister A man's mother manages his family; and after her death his eldest sister assumes the

direction. Brothers almost always live under the same roof; but if one of the family separates from the rest he is always accompanied by his favourite sister. . . . A man's movable property after his death is divided among the sons and daughters of all his sisters. His landed estate is managed by the eldest male of the family; but each individual has a right to a share of the income." A curious consequence of the Brahman exclusiveness is that a Nambutiri who consorts with a Nâyar woman cannot touch his issue by her without pollution, only to be removed by ceremonial bathing. It must be added, to complete the sketch of the Nâyar social polity, that the royal house of Travancore is Nâyar. Consequently the Raja's sons can in no case succeed him, but the succession to the throne passes to his uterine brothers, or failing them to his sister's sons or his sister's daughters' sons, one after the other. The rule is carried so far that in case of failure of the female line the Raja adopts a girl to continue it.[1]

This "manner of propagating the species" may have been as "strange" to Buchanan as to Herodotus in the fifth century B.C. It was, however, by no means singular, even in India. In the far north, among the Syntengs of the Jaintia hills in Assam, it subsists in full force. There the husband does not reside with his wife any more than the Nâyar spouse does; he only visits her at her mother's house after dark. He does not eat, smoke, or even partake of betel-nut there, "the idea being that because none of his earnings go to support this house, therefore it s not etiquette for him to partake of food or other refreshment there. If a Synteng house is visited, it

[1] Anantha Krishna, ii. 22 sqq.; *Ind. Cens. Rep.* 1901, xx. 150 sqq.; Thurston, *Tribes and Castes*, v. 152 sqq., 283 sqq.

is unusual to find husbands of any of the married daughters there, although the sons of the family may be seen in the house when they have returned from work." [1]

The husband is thus, like the Nâyar woman's consorts of old time, a mere agent for the purpose of continuing the family of his wife. But among their neighbours, the closely related Khasis of the adjacent Khasi hills, after one or two children are born, and if a married couple get on well together, the husband frequently removes his wife and family to a house of his own. While she lives in her mother's house, all her earnings (which are mainly derived from the cultivation of the soil) are given to her mother, who expends them on the maintenance of the family. From the time she leaves the house she and her husband pool their earnings and spend them in the support of their joint family. Despite the removal, however, the children still belong to the wife and her family. The wife's brother, or maternal uncle, is the head of that family, and is regarded by the children " more in the light of a father than of an uncle." In case of divorce, which is common, the children follow their mother back to her family ; and in many cases they are ignorant even of their father's name. Yet the father counts for something more in a Khasi household than where mother-right reigns in full power. Facing the dangers of the jungles, and risking his life for wife and children, in his own family-circle he is nearer to his wife and children than the wife's brother ; and even in her clan (to which of course he does not belong) he occupies a place of high regard, second only to her brother. Among the various divinities of the Khasi religion, ancestors are

[1] Gurdon, *Khasis*, 76.

worshipped with offerings, in order that they may help and bless the living members of the clan. The ancestors thus worshipped are not only those of the mother's clan. The father also is included; and special ceremonies are performed to propitiate his shade. It does not, however, appear that his ancestors are venerated.[1]

Another consequence of the strengthening of paternal power is found in the law of inheritance. All property acquired by a man before marriage belongs to his mother, or rather to his clan. But when he marries and there are children of the marriage the property acquired after marriage remains to his wife and children. The wife's earnings being pooled with her husband's are rendered indistinguishable from his. This leads naturally to the claim of the widow and children to the accumulations made during the conjugal life. Neither a Synteng nor a Khasi man can own any property unless it be self-acquired. If a Synteng die leaving any property which has been acquired by himself it goes to his mother, if alive, excluding his wife and children. If the mother be dead it descends on her youngest daughter. She is the family priestess; she it is who propitiates the ancestors, as among the Khasis also; and it is she who administers the family property. Among both Khasis and Syntengs the husband is in theory a stranger in his wife's home. He can, therefore, take no part in the rites and ceremonies of his wife's family; nor as a rule can his ashes find any place in his wife's family tomb. The head of the State is called the Siem; and the universal rule of succession is that the headship descends on the female side only There are, however, differences in detail as

[1] Gurdon, *Khasis*, 76 sqq.

to the mode of descent in the various districts. The Siem is generally a man, since formerly he used to lead his army. Yet in some cases a woman may succeed.[1]

Thus at two ends of the peninsula the archaic social organization on the lines of mother-right is found in full force, among peoples in two different zones of culture, and belonging to two distinct races. The Khasis are certainly not, like the Nâyars, Dravidians, though their origin is yet undetermined. They speak one of a group of tongues called Mon-Khmer, and are conjectured to be of Mongolian affinity. In spite of the Aryan example and the social and religious influences dominant for many ages in the country, many other Indian tribes and castes have still the matrilineal organization; and even where it has generally passed away, numerous remains are found scattered up and down. The Garos, also a hill-tribe of Assam, speak a language belonging to the Thibeto-Burman family. Their children belong to the mother's *machong*, literally motherhood, or clan; and all the members of a *machong* claim to be descended from a common mother or ancestress. "The woman is the owner of all except self-acquired property, and her daughters inherit to the exclusion of sons. Though the property cannot pass out of the motherhood, the husband has full use of it during his lifetime, and he can select a person (*nokrong*, house-supporter) to succeed him as the protector of his family and manager of its property. The *nokrong*, who is usually his sister's son, comes to live in his house as the husband of one of his daughters, and when he dies marries also the widow. Should a man's wife predecease him without daughters, or be divorced, her clan will provide him with a second

[1] Gurdon, *Khasis*, 82 sqq.

wife, who takes the property of the first wife and so maintains him in actual possession of it. These customs," adds Mr. Gait, from whose report on the Indian Census, 1911, I quote, " are of special interest as showing how a primitive community adapts to new conditions a system which it has outgrown." It should also be noted that the proposal of marriage comes from the girl, never from the man, who is required by custom at first to refuse, and to run away and hide himself. The modest victim is sought for by a party of friends and brought back by force to the village. He escapes again, and is captured a second time; but if he attempt to perform this comedy a third time, it is assumed that his unwillingness is real, and he is allowed to go free. It appears to be only in the case of marriage between a man and his maternal uncle's daughter that he goes to reside in his wife's house. In other cases presumably he takes his wife to his own dwelling. No bride-price is ever paid. Polygyny is permitted. But " before taking a second wife it is customary for a man to obtain the permission of the first; and a breach of this rule entitles her to compensation." [1]

The Garos have therefore taken several steps away from mother-right as it exists among their neighbours, the Khasis. The power of the husband tends to increase. There is no regular worship of ancestors, so that the woman is no longer the family priestess. The husband manages the wife's family property; but he has not yet succeeded in ousting her *machong* in favour of inheritance by his own children. This step has been taken by the Rābhās, who speak an allied language.[2] Other tribes and castes in north

[1] Playfair, *Garos*, 65, 67, 69, 71; *Ind. Cens. Rep.* 1911, i. 237.
[2] Gait, *Ind. Cens. Rep.* 1911, i. 237.

and south who are known to have formerly followed the custom of descent through females, with visiting husbands like the Syntengs and the Nâyars, now follow the ordinary Hindu law. There is, moreover, a long list of tribes and castes which are divided, one portion following matrilineal and another portion patrilineal descent. The Halepaiks, for instance, a Kánarese caste, are divided into a number of exogamous sections known as *balis*, descendible through women, and named after some animal or tree which is held sacred by the members of the *bali*. They are all Hindus by religion ; and those of North Kánara have adopted the Hindu law of paternal inheritance, while those of South Kánara retain maternal succession.[1] There are others, such as the Pisharatis, a class of Ampalavásis, or temple-servants, in Travancore and Cochin who ordinarily follow female descent, but by special compact (apparently on marriage) may become patrilineal.[2] Others again, like the Valans of Cochin, who otherwise follow the Hindu law, have adopted a compromise whereby any property acquired by a man himself is divided after his death between his brothers and his sons, but his ancestral property, if any, goes to his brothers. Marriage, as among the Nâyars, is preceded by a *tali*-tying ceremony ; and the man who ties the *tali* does not necessarily become the girl's husband. The maternal uncle of the girl provides part of the cost. Divorce is easy—merely a matter of a small payment.[3]

Other remains of the older organization are often found. The Pulluvans of Cochin, who have adopted

[1] *Ind. Cens. Rep.* 1911, vii. 262.

[2] *Ibid.* xxiii. 266 ; Anantha Krishna, ii. 143 ; Thurston, *Tribes and Castes*, vi. 201.

[3] Anantha Krishna, i. 231 sqq.

paternal descent with the wife's residence in her husband's house, practise the custom which requires a woman to go to her parents' home in the seventh month of pregnancy, there to be delivered; and the news when the delivery is accomplished is carried by her maternal uncle to her husband.[1] Even among the Parsis of Baroda a woman returns to her parents' house to be delivered.[2] In many parts of India a husband's residence in his wife's house is still practised. "The Mukkuvans of Madras recognize two forms of marriage, the ordinary one, or *kalyānam*, and a maimed rite known as *vidāram*, where no bride-price is paid. A girl married by the latter rite need not reside in her husband's house. Her children inherit from their father, only if he recognizes them and makes a small payment to their mother; otherwise they belong to the family of their maternal grandfather. The *vidāram* form of marriage can be completed at any time by the performance of the *kalyānam* ceremony." The object of the transfer of the husband to his wife's residence is usually to carry on the wife's father's family where she has no brothers to do so. Thus "amongst the Coorgs, who are said formerly to have been polyandrous, a man who has no male children may give his daughter in marriage on the express understanding that she will remain in his house, and that any issue she may have will belong to his family." "With the Santals and Oraons of Chota Nagpur the husband of a woman who has no brothers, if he stays in his father-in-law's house and works for him till he dies, inherits his property."[3] It would be easy, but is needless, to multiply here examples.

[1] Anantha Krishna, i. 148. [2] *Ind. Cens. Rep.* 1911, xvi. 178.
[3] *Ibid.* 236; Thurston, v. 115.

Frequently, however, the husband's residence with his wife's family is terminable; sometimes indeed it becomes purely ceremonial. In Selangor, one of the states of the Malay Peninsula, the people are Mohammedans. "But the bridegroom is expected to remain under the roof (and eye) of his mother-in-law for about two years (reduced to forty-four days in the case of 'royalty'), after which he may be allowed to remove to a house of his own." Inasmuch as all brides and bridegrooms are treated as "royalty" (that is, as sacred, taboo), it is probable that the writer means that in all cases the term of residence is now reduced to forty-four days.[1] The fisher-folk of Patani Bay, also a Mohammedan people, are divided into families, each of which reverences a particular species of fish and abstains from eating it. The family and the cult, if cult it may be called, appear to be, or to have been originally, descendible in the female line. A man who marries into such a family becomes liable to its prohibitions; if himself of a fisher-family he becomes liable to the prohibitions of both. It is customary to spend the first fortnight of married life at the house of the wife's parents. At the end of fifteen days the bridegroom's parents come and formally conduct the couple back to his old home, where they live together until he can afford to have a house of his own. Generally in the Patani States, we are told, "the bride and bridegroom are expected to take up their abode in the house of the bride's parents; but the custom has now become largely ceremonial, and as a rule they only stay a fortnight." Women, however, have a very independent position, quite at variance with the polity of Islam; and the bridegroom cannot force the bride to leave her parents,

[1] Skeat, 384.

though her refusal to do so is considered valid ground for a divorce.[1]

An example of the claims of a married woman's kin, which can hardly be explained save as a relic of maternal descent, is found among the Naga tribes of Manipur. These tribes are patrilineal, with complete male ascendancy. Yet when a man's wife dies he is compelled to make to her father, or in default of her father to her nearest of kin, a payment called *mandu*, or the price of her bones. But no such payment is made if she die in her parents' house. A similar custom obtains in some of the neighbouring tribes. The husband, in whose custody she was, seems to be held liable to his wife's family for her death. In any case " the duty of revenge, should she be hurt, is with her clan of origin," not with her husband.[2]

On the other side of India, in Beluchistan, the Brāhūīs, who are now adherents of Islam, have some interesting relics. "There is a very strong feeling that a daughter's wedding is no place for her father. In olden days it would have been quite a scandal for him to put in an appearance at all; he was expected to quit the house, leaving his wife's brother to act as the head of the family." Even now he must keep himself in the background during the festivities. It is, moreover, quite clear " that a Brāhūī mother's rights in her child received formal and tangible recognition ages before the Brāhūī father had learned to assert his. For nothing can be more certain than that she claimed a milk-price on the marriage of her daughter ages before her husband dreamed of claiming a bride-price for himself. Nor is marriage the only occasion when the milk-price crops up; until a Brāhūī mother has

[1] Annandale, *Fasc. Mal.* i. 75, ii. 75–6.
[2] Hodson, *Naga Tribes*, 92, 71.

expressly renounced all mother-rights in her dead child, no one would dream of removing the body to the grave." [1]

Everywhere, except among the Brahmans who follow the sacred law, the mother's brother has a recognized position with special rights, privileges and duties. They frequently begin with his sister's pregnancy; and they do not end until the funeral ceremonies of her child are completed, or until that child has himself officiated at the uncle's obsequies. In particular, the mother's brother is concerned with the education and marriage of his sister's children; and he takes a prominent part in the marriage rites. The position of a maternal uncle in regard to his nephews and nieces is usually regarded as a relic of matrilineal descent; and this opinion is, there can be little doubt, correct. It has, however, been suggested that in India the uncle's position is dependent upon the prevalent custom of cross-cousin marriage. Cross-cousin marriage is the marriage of a man to his mother's brother's daughter, or the marriage of a woman to her mother's brother's son; and the custom gives a right to the maternal uncle to claim his sister's issue as spouses for his own children. But Sir James Frazer has shown in his work on *Folk-lore in the Old Testament* that the custom of cross-cousin marriage is, in the first instance, a corollary of a previous exchange of sisters, whereby the consideration for a man's marriage was not the payment of a bride-price, but the marriage of his sister to the brother or some other relation of the bride he sought; and he has rendered it highly probable that the practice of exchanging sisters began before paternity was understood, and when a father had no authority over his

[1] Bray, 67, 40, 125; *Ind. Cens. Rep.* 1911, iv. 112.

children. The subject is far too complex to be entered into here. It must suffice to say that if this be correct the custom of cross-cousin marriage in India is itself a survival of matrilineal kinship, and it has only strengthened, not created, the hold of the maternal uncle upon his sister's offspring.[1]

[1] Frazer, *F.L.O.T.* ii. chap. vi., esp. pp. 98–263.

CHAPTER IX

INDONESIA

THROUGHOUT the islands of the Indian Ocean either matrilineal kinship is the rule or well-recognized remains of it are found. It retains its most complete form in the Padang Highlands of Sumatra inhabited by the Menangkabau Malays. They form an agricultural population settled in districts, each comprising a number of villages. Among themselves they are divided into clans descendible only in the female line. These clans, though distributed throughout the districts, or settlements (called *negari*), do not dwell promiscuously ; but the members of a clan, or *suku*, live together, forming a separate village, or *kota*. Marriage within the *suku* is forbidden. When a woman marries she remains in her own *suku* and *kota*. " In fact," says Prof. Wilken, " she never forsakes the house in which she was born and has grown up. But the husband on his side also remains with his own clan in its settlement. . . . Marriage thus results in no dwelling together of the married pair. Married life reveals itself merely in the form of visits paid by the husband to his wife. He comes, that is to say, by day, helps her in her work in the rice-fields, and takes his mid-day meal with her. This at least is the way it begins. Later, the visits by day become rarer ; the man comes only in the evening to his wife's house, and stays, if a faithful husband, until the following morning." The family

thus comprises not husband, wife and children, for husband and wife have no common dwelling. It consists merely of the mother with her children and remoter descendants. The head of the household is usually her eldest brother. His rights and duties towards her children are such as we ordinarily associate with the father : the actual father has nothing to say in the matter. Belonging to his own *suku*, the household of his mother and his mother's descendants, his duties and his correlative rights, if he be the eldest brother, are toward his sister's children. The children thus look to their uncle, their mother's brother, and not to their father, as their provider and ruler. Property is divided into two classes : family property, which belongs to the stock in common and is administered by the head of the household ; and individual property, earned by a man's own industry. When husband and wife acquire property by their joint labour, they own it in common. When a man dies his interest in the property of his own family remains to that family—not to his widow and children, —his individual property descends on his brothers and sisters and his sisters' children. The common property of husband and wife is divided between the survivor on the one hand and the successors of the deceased on the other hand. When a woman dies, these successors are her children, and failing them her brothers and sisters : her husband has no share. When a man dies, his successors are his mother and her descendants. If the marriage-bond be severed in the lifetime of both parties, as it frequently is, their common property is divided between them ; but the children abide with the wife. Heritable titles and dignities descend on death in a similar way to property.

This is precisely the polity of the Syntengs. That

of the Nâyars differs from it only in details dependent on the fact that the latter, an aristocratic and land-owning race, are on a somewhat higher stage of civilization. In the fourteenth century of our era the Indragiri Valley was settled by Menangkabau Malays from the Padang Highlands. Thither they doubtless took their social system; but there they came in contact with Mohammedan influences, which modified their ancient matrilineal institutions, still preserved by the rest of the tribe in their original seats. These influences can be traced in increasing strength as the valley is descended. In the higher settlements almost the only change observable is that the husband, though rarely, comes to live permanently with his wife in the dwelling of her family. Further down it becomes the general rule that he should either enter his wife's family-dwelling, or build a new house for her and himself in the place where her *suku*, or clan, is settled. Family life thus begins to develop at the expense of clan-life. Rank and title have a tendency, faint as yet, to fall after a man's death to his children. Still lower down, although the division into *sukus* persists, their limits are less sharply distinguished. Their members have a tendency to settle elsewhere, sometimes permanently, and in the latter case to choose a new head. Marriage within the *suku* has become frequent. When two members of different *sukus* marry, as a rule they live together; either the husband goes to the settlement of the wife's *suku*, or if his *suku* be the more powerful he builds a house in his own village and takes her thither. The children in the latter case belong to his *suku*, and the mother's clan has little or no claim over them. Yet the transfer to the father's clan is so imperfect that if the husband and wife separate in their lifetime the children follow

her. The distinction between the different kinds of property recognized in the Highlands is becoming effaced. At the death of either of the spouses the property is now very often divided between the survivor and the children ; and where there is offspring sisters' children get no share. The children of the deceased are, on the other hand, liable for his or her debts, and may even be pawned to secure payment. These changes are instructive ; they have come about within historical time ; and they afford us a clue to the meaning of inconsistencies elsewhere in what is, on the whole, a true patrilineal organization.[1]

Such changes have been taking place all over Sumatra. As an example we may refer to the Achehnese, who for so many years maintained an unequal struggle against the Dutch rulers. The Achehnese have long accepted Islam ; but many of their earlier social customs still persist quite inconsistently with the law of the Prophet. If a husband's home be near his wife's he comes to live in the latter, for an Achehnese woman never quits the parental abode. If her husband's home be at a distance it will depend on the circumstances whether he will be a visitor to his wife, or whether he will entirely exchange his home for that of his wife. He is required to make her a substantial present after the consummation of the marriage, and a monthly gift afterwards, besides a gift of meat at each of the two great Mohammedan feasts. For every *bungkay* of gold (twenty-five dollars) in the wedding-gift the bride is made dependent for a full year on the support of her parents. When the gift is exhausted she is formally committed to the sole charge of her husband, and not until then does he become liable to support her, though she does not

[1] Wilken, i. 314–20, 348, 419–22, 429 ; *Bijdragen*, xxxix. 43, 44.

seem even then to remove to his dwelling. All the expenses of her first child-bed fall upon her parents, any contribution by the husband being regarded as voluntary.[1]

Up to the last quarter of the eighteenth century there prevailed in Pasummah and Rejang, two contiguous districts in the south-west of the island, two kinds of marriage. They are interesting as showing how the rights of the husband come to depend on the payment of a bride-price. In the one kind, called *jujur*, the bridegroom pays a bride-price, and when it is wholly paid the bride passes entirely into his possession and power. It is, however, seldom paid in full. A portion must be paid before the husband can take his wife home; but if it be paid, long credit is given for the rest. In any case there are certain "appendages or branches," the most important of which is a sum of five dollars, called *tali kulo*. This "is usually from motives of delicacy or friendship left unpaid; and so long as that is the case a relationship is understood to subsist between the two families, and the parents of the woman have a right to interfere on occasions of ill-treatment, the husband is also liable for wounding her, with other limitations of absolute right." When the sum in question is finally paid the wife passes into the absolute power of her husband. If, on the other hand, the man's family cannot pay the balance of the *jujur* agreed on, an arrangement is not uncommonly made by which the debtor becomes practically a slave, all his labour being due to his creditor without any reduction in the debt. In return he only gets an extension of credit: so great an extension indeed that the debt sometimes remains unpaid to the second and third

[1] Hurgronje, 295 sqq.

generation ; " and it is not uncommon to see a man suing for the *jujur* of the sister of his grandfather." Such debts are looked upon as sacred, and are said to be scarcely ever lost. An alternative to the payment of a *jujur* is the exchange of brides, one maiden being given for another—an expedient we have met with before, and one originating very low down in savagery. The other kind of marriage is known as *ambel-anak*. We have found it in India, used for the continuation of a woman's family when there are no sons to carry on the paternal line. In Sumatra a young man, generally of an inferior family, is chosen by the girl's father for her husband. He is handed over by his family and lives in his father-in-law's house in a state between that of a son and a debtor. His wife's family are responsible for all his acts after marriage. His own family has no further right or interest in him. All his earnings belong to his wife's family. He is liable to be divorced at their pleasure ; and in this event he must leave wife and children and return naked as he came. If they are on good terms with him, however, they may release him and his wife on payment of a *jujur*, with additions the amount of which will depend to a great extent on whether he has daughters, whose *jujur* would otherwise go to his wife's family.[1]

These arrangements have not been admitted fortuitously into the institutions of a population reckoning kinship through the father. They are obviously an adaptation of arrangements springing out of a much more primitive civilization, and as such at variance with the Mohammedan religion and polity which the inhabitants of Rejang and Pasummah now profess.

[1] Marsden, 257, 262, 225, 235.

The Batak or Battas, whose country is south of Achehn, are, like most other populations of the East Indian Islands, of Malay origin. They have made considerable progress in civilization. They are a patrilineal and slave-holding people. Yet it is remarkable that when a free man weds a slave, even in lawful marriage, the offspring are slaves, while on the other hand the children of a free woman by marriage with a slave are free; and if slaves belonging to two different masters marry, their children are slaves of the master not of the man, but of the woman.[1] This law can be nothing else than a survival of a pre-existing matrilineal stage, of which indeed other indications are not wanting. So, when among the Macassars and Buginese of Celebes a man of noble birth marries a woman of lower rank, which frequently happens, the children only take half his rank; but if a woman of noble birth marry a man of lower rank the children take the same rank as the mother.[2]

The various groups of the Molucca Islands enable us to trace the progress of paternal descent. In the Luang-Sermata group no bride-price is paid; the husband enters his wife's family, and the children belong to it. Inheritance is in the female line. Apparently a married man possesses nothing but his personal weapons and clothing. On his death these go to his sons, if any; the rest of the property remains to the widow and her children.[3] In the neighbouring Babar Archipelago, though a bride-price is exacted, it seems only to carry the right to cohabitation, not to removal of the bride from her maternal home; for the husband follows the wife and dwells in her house, and the children belong to her family. If rich enough a man may have as many as seven wives,

[1] Wilken, i. 248, 251. [2] *Ibid.* 361. [3] Riedel, 324, 330.

each of whom continues to live in her maternal home. It is, however, a glory to capture a woman from another commune and bring her away, in which case, whether compensation be paid or not, the children follow the father. Each commune is a small oligarchic republic ruled by the heads of households and seniors, the succession to whom is in the maternal line. The property left at the death of the head of a family is administered by his widow, or if there be no widow by the eldest daughter or unmarried son. While a son is unmarried his earnings go to increase the property of the family administered by its head; once married, they go to his wife's family, and he has no further claim on his parents' property.[1]

In all the Molucca Islands free and unrestricted intercourse is allowed between the unmarried of both sexes; and as a rule marriage is preceded by sexual intimacy. Everywhere where no bride-price is paid the bridegroom enters his wife's household, and his children belong to her family. He sometimes builds a separate dwelling after a time; but it makes no difference unless a bride-price be paid. The population of the Seranglao and Gorong Archipelago has accepted Islam. While this has naturally affected the marriage customs, an interesting relic of the earlier arrangements is found. As soon as the marriage is agreed on the youth goes to the bride's father's house, where he helps her parents and shares her bed. The bride-price is not always paid at once. Any children born before the payment is completed belong to the wife's family, but subsequent payment transfers them to the husband.[2] In the Watubela Islands two forms of marriage exist side by side—an open and a secret form. In the former a bride-price is paid,

[1] Riedel, 350. [2] *Ibid.* 171–3.

gifts are exchanged, and the bride is formally handed over to her husband in his home. In the secret marriage the bridegroom comes and sleeps with his sweetheart, remaining with her until discovered by her parents. When this happens, he declares his passion for their daughter and gives himself wholly up to them to be dealt with as they decide, or as it is figuratively expressed "to be marked as their slave." On their consenting, he stays in the house, enters their family and works for them. The children then follow the mother; but if later he can pay the bride-price the children become his, and he obtains full rights over them as in the open and more formal marriage above mentioned.[1]

On the island of Celebes among the Bare'e -speaking Toradjas the rule is that the bridegroom enters the household of the bride. A bride-price is agreed on, but not usually paid until later. It does not seem to have the effect of transferring the children to the husband, nor does it authorize him to take them and his wife away. But it recognizes him as their father, thus legitimating their birth, and it enables his brothers or sisters to adopt any of them; for adoption is a common custom.[2] If, however, a girl's parents refuse their consent to her marriage, and if she, notwithstanding, is determined upon it, the result is an elopement. Her family feels itself in this case greatly injured; the bond with it is broken, the youthful pair are received into the husband's family, and presumably the children of the marriage will belong to it. But elopements are of rare occurrence, for the family bond is very strong.[3] In certain districts there is also a form of marriage with patrilocal residence, as it is

[1] Riedel, 205–6.
[2] Adriani and Kruyt, ii. 16, 27.
[3] *Ibid.* 17.

called, in which the bride is taken to live in her husband's family. It is very expensive, for, in addition to the bride-price, various presents have to be given to the bride to induce her to leave her home, to induce her to enter her husband's, and to induce her to settle down in it. Hence it is rarely adopted, and only by richer persons. Of the effect of this marriage we are told nothing.[1] It may be noted that among the Toradjas when negotiations are entered into for a marriage, it is usually by the bridegroom's mother or aunt (mother's sister); and in Lage, where things are done very formally, they take place not with the bride's parents, but with her uncle (mother's brother). Moreover, the kindred of the bridegroom (not he himself) are responsible for the bride-price, which is received by the bride's father and distributed among those of his own kindred who have contributed to that paid for himself. The mother's kin have no claim to it; but they take care to indemnify themselves by means of all sorts of "presents" from the bridegroom's family.[2]

On the small islands between Celebes and the Philippines a bride-price is paid. Yet the bridegroom goes to live in the bride's home and becomes a member of the family. Divorces are frequent; but in consequence of the obligation to pay a bride-price only rich men can afford to change their wives often. On the island of Talauer, in the event of the wife's adultery her paramour pays a fine not to her husband, but to her parents. In case of divorce the children are said to go "where they don't cry," which may be assumed to be usually with the mother; when they are old enough they are reputed to be free to choose whether they will belong to the father's

[1] Adriani and Kruyt, ii. 23. [2] *Ibid.* 14, 25.

family or the mother's. On the island of Sengir they belong to the wife's *kampong*, that is, to her household and family. In these islands only rajahs' sons are exempt from following their wives: they are able to do as they please in the matter.[1]

Borneo is occupied by many tribes often of widely different origin. But the general rule seems to be that the husband follows the wife, and presumably the children remain in the wife's family. But the rule is not universal. Among the Kayans a bride-price is paid, and the marriage ceremony includes a symbolical capture of the bride. The custom is, however, that the bridegroom goes to live for some years in the bride's dwelling, though he ultimately carries off the bride to his own house. It has been suggested that this is a modern custom of recent introduction to avoid the expense of an older form of marriage, whereby the wife is taken to her husband's home. If the bride be the only child of a chief, the husband may remain permanently in her home and succeed her father as chief.[2] Among the Sea Dyaks of Sarawak on a marriage the future place of residence of the couple is the subject of arrangement. As often as not, we are told, the man takes up his abode with his wife's relations. This particularly happens when the girl is an only child, but not only then; "many matters are taken into consideration in deciding where they are to live." The natives of Borneo have undergone a variety of foreign influences, temporary and permanent. In consequence their original customs have been subject to much modification. On the other hand, we have no such systematic investigation of their civilization as of that of many other East

[1] *J.A.I.* xvi. 138–9. [2] Hose and M'Dougall, ii. 174.

Indian communities. From the fragmentary reports in our power it is difficult to form a connected view.[1]

Of the other large island of the Archipelago—New Guinea—we have a number of careful accounts. Like Borneo, it is occupied by tribes of different origins. In an earlier chapter we have glanced at those of Melanesian descent on the south-eastern coast. Among the Kai of what was German territory marriage between a brother and sister, if born of different mothers, is permitted. A man's chief motive in marrying is said to be the need of a woman to work, to boil water, to fetch water and firewood, to weed and watch his field. In transferring her to him her kin lose such a worker. Therefore he must pay them for her. Yet subject to her wifely duties she remains theirs: she and her possessions belong to her own relations, and especially to her maternal uncle and her brothers. If in a quarrel with her, her husband break her household utensils, he must pay her next of kin; and in case of her death it is they who are her heirs. Her uncles and adult brothers receive her bride-price, her parents get nothing; but the bridegroom must work for her father.[2] Yet as a rule he takes her to live with him, and does not go to live in her family He never takes her far: her kindred would not suffer so complete a severance.[3] The children are the wife's property; they belong to her kin, not to their father's; and he has not even the right of correction over them. It is her mother and sisters who decide at their birth whether they are to live or die.[4] In case of her husband's death the widow generally becomes his brother's wife without further ado. He had paid

[1] *Anthropos*, i. 167; Roth, *Sarawak*, i. 124, 125.
[2] Neuhauss, iii. 85, 92, 88. [3] *Ibid.* 42. [4] *Ibid.* 91.

his share of the bride-price on her first marriage. But she may wed a stranger, who then has to pay another bride-price, though a smaller one than on her first marriage. We are told that that is the chance for a poor man to get a cheap wife.[1] When she marries again her uncles and brothers avail themselves of their right to the children of the former marriage. On a man's death his sons get the fruit-trees he has planted; all the rest of his property, his pigs and articles of personal use and ornament, his brothers and maternal uncles inherit. Only in case of their failure does his property fall to his sons. Daughters inherit nothing; the next heirs after his own sons are the sons of the deceased's sisters.[2] Every kin has its chief, who represents it on all public occasions. He has, however, very little power of control or punishment, for the Kai are very independent. The dignity descends from father to son, and failing sons to a sister's son.[3]

Thus the Kai have departed but little from the status of mother-right. The thin end of the wedge of father-right has, however, been applied to their social institutions. It is to be seen particularly in the residence of the wife with the husband apart from her own kin, and in the inheritance of the chieftainship. The Kai are an inland people. The Jabim, an intrusive Melanesian people on the coast, also hold to maternal descent. Among them, too, the wife goes to live with her husband, not far away; though it is by no means rare that the husband goes to her, and there he lives in a certain dependence on her kin. The decisive word on the subject of a girl's marriage rests with her mother's brother. A bride-price is paid, and is received by him and her own brothers;

[1] Neuhauss, iii. 88. [2] *Ibid.* 90. [3] *Ibid.* 100.

her parents take nothing.[1] But the husband acquires few rights over her and the children. One of the most frequent causes of conjugal strife is the attempt on the father's part to chastise a disobedient child.[2] A father's property descends to his eldest child: if that child be a daughter she usually, as the younger children grow up, gives them a share. But there is, as a rule, little to divide.[3]

Further to the west in the same territory, in the valley of the Keram, a tributary of the Sepik River, a very remarkable form of social organization has recently been discovered among a tribe called the Bánaro. It is impossible here to make more than a very slight reference to it, but to pass it over entirely would seem impossible. Marriage is to the Bánaro essentially an exchange of sisters, which we have seen to have probably taken its rise in a condition of society earlier than patrilineal descent. It is also among the Bánaro intimately connected with the formal initiation to adult life. The bride is compelled to undergo preliminary intercourse with a friend of the bridegroom's father (therefore in the generation above her). This person she believes to be a supernatural being; and intercourse with him goes on to the exclusion of the bridegroom until a child has been born, called the "goblin-child." She then comes to live with her husband, but from time to time continues to cohabit on festival occasions with the goblin-child's father; and when he on passing to another age-class relinquishes that privilege, she cohabits on such occasions with a friend of her husband. The ceremonial exchange of wives also takes place in connection with other rites. Thus certainty of paternity is never

[1] Neuhauss, iii. 299, 301, 302. [2] *Ibid.* 303.
[3] *Ibid.* 306.

attained: indeed it is scarcely approached, save in the case of the goblin-child.[1]

It has much puzzled the discoverer to know whether the Bánaro are maternal or paternal in their organization, and to trace the origin of their strange institutions. "The offspring of the union with the goblin is called the 'goblin's child.' Although the child remains with the mother, we cannot speak of a female line of descent, for the child is adopted by the mother's husband, who cares for his further education, and practically acts as his foster-father." "If we enquire how descent is counted, we notice a queer combination of both female and male influence. Practically the children are their mother's, and her husband seems to be selected only in order to protect her and her children. He is merely the protector of his wife's family." In the course of a long and patient discussion of a complex question the conclusion is arrived at that this extraordinary system is the result of an invasion of a Melanesian patrilineal people, and its amalgamation with an originally endogamic matrilineal Papuan tribe. By this invasion and amalgamation the Melanesian gerontocracy succeeded in imposing its power upon, and adopting the institutions of, a more primitive society.[2] But the subject requires more research than anthropologists have yet had the opportunity of bestowing upon it.

In an island so large and inhabited by so various a population as New Guinea all sorts of culture-contacts have taken place in the course of ages. Consequently we must expect to find, as we do in fact find, social institutions in all stages of development. Few tribes who have reached patrilineal organization, however, are without trace of the prior influence of

[1] *Mem. Am. Anthr. Assn.* iii. 260 sqq. [2] *Ibid.* 276, 281–4.

mother-right. One such exception is the Mafulu, a mountain-people who appear to belong to the original Negrito stock. But if they do, it has been crossed with those of Papuans and Melanesians, and they speak a Papuan language.[1] Here again fuller examination is required of their cultural surroundings, and perhaps also of their institutions.

In Madagascar, where there are also a number of tribes of very various origin, the main stock of the people is of Malay descent. For many centuries the island has been more or less subject to Arab influence. The general organization of society is on the lines of father-right. Licentiousness is common from an early age. Among the Betsimisaraka and other tribes there is said to be no word for maiden; and generally a girl who has already given birth to a child is considered a desirable match. Every child, in fact, is welcomed in a family without fastidious distinctions as to whence it came. Marriages are easily dissolved and, at least on the husband's part, on trivial grounds. The restrictions, however, on marriages are much greater on the mother's side than on the father's. Marriage between brothers' children is common, and is looked upon as the most proper kind of marriage, "as keeping property together in the same family." That between the children of a brother and sister is "allowable on the performance of a slight prescribed ceremony, supposed to remove any impediment from consanguinity; but that of sisters' children, when the sisters have the same mother, is regarded with horror as incest, being emphatically *fady*, or tabooed, and not allowable down to the fifth generation." Malagasy "consider their brothers' and sisters' children as almost the same as their own, and their uncles and

[1] Williamson; see chaps. vi. and x.

aunts as fathers and mothers; indeed, they call them so constantly, there being no single word equivalent to ours for those relationships." This phenomenon, of course, is common in what is called the classificatory system of kinship. The royal family and nobles trace their lineage, contrary to the general practice, through the female line, and not through the male. On the whole, the facts point definitely to the former prevalence of maternal kinship, and to the custom of cross-cousin marriage. The Sakalava are said to be still matrilineal.[1]

[1] Ellis, *Hist. Mad.* i. 137, 150, 165, 167, 172; Sibree, 217, 248, 250–4; *Anthropos*, ii. 983; van Gennep, *Tabou*, 163, 164.

CHAPTER X

ASIA, THE MEDITERRANEAN BASIN, EUROPE

OVER the rest of the eastern hemisphere the evidences of female descent are fewer and, save in rare but significant examples, fainter. There is no room here for a mention of any but the most remarkable. In Japan, descent was originally matrilineal. The wife remained with her own kin, and the husband visited her only by night. The word for marriage signified *to slip by night into the house.* It was not until the fourteenth century of our era that the husband's residence became the centre of family life, and marriage became a regular dwelling together by the married pair. Even now when a man marries an only daughter (or perhaps the eldest daughter of the family) he goes to live at her house and the children take her family name. There is, moreover, another type of marriage (somewhat similar to the *ambel-anak* of Sumatra, also found in Ceylon and in Northern Tonkin) in which a man who has daughters but no son adopts a stranger and gives him one of his daughters in marriage. Children born of this marriage are considered as heirs of their maternal grandfather; and their father has a far from enviable position in the family. It is important, too, that anciently marriage with a sister born of the same mother was prohibited as offensive to the gods, but that with a sister by the

father's side only was permitted.[1] Among the Ainu, probably the aboriginal inhabitants of Japan and Saghalin, there are, at least in Saghalin, strong indications of a former matrilineate. No bride-price is paid. The wife does not cease to belong to her family, and her children regard her kin as nearer to them than their father's. In fact she remains, often for years, in her parents' house: her first child-bed takes place there; and thither, after she has left it for ordinary life with her husband, she sometimes returns for the purpose of being delivered from subsequent pregnancies.[2]

Passing by Siberia and the Caucasus, among the many tribes of which customs and tales are found which are probably to be interpreted as relics of a system of mother-right long since passed away, we may turn at once to the south-west of Asia. Here it was that Herodotus first, with wonder, noted matrilineal descent among the Lycians of Asia Minor. The Lycians, however, were not the only people of ancient times in that part of the world to reckon their kinship through the mother. Probably the Hittites did the same; and their descendants, the modern Armenians, show traces of it in various ways.[3] However this may be, it is beyond doubt that the primitive Semites were matrilineal. Although the Hebrews had long passed this stage at the time of the last redaction of the books of the Old Testament, its former prevalence is clear from many passages which have escaped the editors. The utterance in the second chapter of Genesis, "Therefore

[1] *L'Année Soc.* viii. 410, 422, v. 43; Morgan, *Syst. Consang.* 428; *Rev. Hist. Rel.* l. 328 n.; Aston, *Shinto*, 249; M'Lennan, *Studies*, i. 101; Lunet, 156, 207, 242, 243.

[2] *Anthropos*, v. 762–3; Czaplicka, 276 n.

[3] Frazer, *Adonis*[3], i. 141; *Zeits. vergl. Rechtswissenschaft*, xxv, 301, 305.

a man leaves his father and his mother and cleaves unto his wife" (in the present tense, not in the future, as translated in the English version), points to the practice of matrilocal marriages. Further matrilineal evidence is afforded by the marriages of Abraham and Amram (the father of Moses); the express statement by Tamar, David's daughter, to Amnon, his son but by another wife, that if Amnon asked for her of the king to wife, the king would not withhold her; the marriage of Samson at Timnah to a woman who, it was evidently contemplated, should not leave her kin, but to whom he should be merely a visiting husband, such as we have found elsewhere; the care with which the name of the mother of the King of Judah is recorded from time to time, and the traces of succession to the throne by marriage with the king's daughter. And they are not the only evidence for the Hebrews. While for other branches of the Semitic race the researches of the late Prof. Robertson Smith and others have established the existence of matrilineal institutions, maintained among the Arabs down well-nigh to the establishment of Islam in the seventh century A.D. In fact, they lasted much longer, and were not formally suppressed until after the prophet's death by the Caliph Omar. A woman was at liberty to receive a husband, who entered her tent, either for a definite term or until she chose to dismiss him. The husband, on the other hand, might depart when he pleased, or at the end of the term, leaving the children, if any, to her. They were members of her clan, and he had nothing further to do with them. The wife did not follow the husband; he either visited or lived with her among her own tribe and clan. Even in the fourteenth century the traveller, Ibn Batuta, found the women of Zebid quite ready to marry strangers. "The

husband might depart when he pleased, but the wife in that case could never be induced to follow him. She bade him a friendly adieu, and took upon herself the whole charge of any child of the marriage." [1]

In Egypt, women occupied a high place. Mother-right was the law. The woman was the mistress of the house; her husband was received as a guest, or took up his permanent abode with her. Polygyny was indeed permitted; but the nobles alone were able to keep harems. Though permitted, it was discouraged by the laws relating to property, and by the custom of associating at marriage the wife and their future children with the husband in the ownership of all his property. The wife retained and transmitted to her heirs not only property but office. In course of time this led to endogamic marriages, regarded by modern civilized nations, and by most savages, with horror. In families which possessed property, if not in others, it seems to have been no uncommon thing that a brother should marry a sister, so as to keep the property in the family. The relationships of royalty became still more complicated. If the most recent researches of Egyptologists may be relied on, the queen was the permanent element whose possession gave the title to the throne. It was by marrying her that the kingship was secured, and it was from her to her daughter that the throne descended. Accordingly, we find, at all events in the later dynasties, the king not only as her husband, but also as her father, as her brother and as her son, and frequently in more than one of these capacities. In other words, to secure his position he married the queen, even though she were his own mother or his sister, and on her death leaving a daughter, he married that daughter, who

[1] Robertson Smith, *Kinship*, 63–72 and *passim*.

might be his sister or his own child.[1] It is remarkable that throughout the fifty or more centuries of Egyptian history down to the final fall of the kingdom on the death of Cleopatra, matrilineal institutions were never outgrown, in spite of numerous revolutions and even repeated conquests by foreign invaders. In an enervating climate society was highly organized, preoccupied with religious observances and under the domination of a powerful priesthood. Religion is proverbially conservative, and the priesthood in developing the cult of Osiris and his sister-wife Isis, seems even to have lent emphasis to the ancient social arrangements. Above all, the Egyptians were an agricultural community carrying on their industry in an environment which demanded little, but continuous, exertion, and lent no stimulus to chronic discontent or change.

The tide of Islam has risen over the valley of the Nile and the whole of North Africa, submerging and destroying these ancient institutions. While they have been obliterated in Egypt, a few traces of the maternal organization linger among populations farther to the south and west. In the early part of the fifteenth century, Makrisi, an Arab writer, described the Beja, an Hamitic people to the south, as pagan nomads with matrilineal descent. Their descendants at the present day are fanatical Mohammedans. Yet among the Hadendoa (one of the tribes) the bridegroom remains with his wife's family for a period often extending to three years after marriage, the bride spending her days in her mother's tent, and only meeting her husband at night. It does not appear that the first child must be born in its mother's family, though this often, perhaps usually, happens. Among allied

[1] *J.R.A.I.* xlv. 309; Simcox, chaps. iv. and viii.; *Journ. Hellenic Studies*, xviii. 238 sqq.

tribes, such as the Amara, Bisharin and Nurab this is the definite rule.[1] Among the Beni Amer of Abyssinia (also Mohammedans), though the bride is taken to her husband's dwelling she has the right to return to her mother's home at any time and stay there, where the husband may visit her if he will, or she may put an end to the marriage by leaving him altogether. In case of separation the house and everything in it belong to the wife; the husband takes nothing but his weapons. A wife as a rule cares little for her husband; even if she loves him it is a point of honour not to express it, but rather to treat him with contempt. Often she ruins him by exactions on very slight pretence. The women all understand one another and make common cause against him in case of a quarrel. On the other hand, a woman is greatly attached to her brother. Marriage is effected by payment of a bride-price; but the bride seems to be dear at the money. If she be murdered, her death is avenged not by her husband, but by her own relations.[2] Of other Abyssinian peoples the Barea and Baze are matrilineal. They both emphasize the relationship of uncle (mother's brother) and nephew, but disregard the tie between father and child. The father rules the family, but only while its members share his household. The uncle can sell the children, but their father cannot. A woman returns to her mother's house for her first delivery. The Kunama have advanced little further towards father-right. A husband does not avenge his wife unless the murder be committed in his presence: a father does not avenge his own children, nor children their father. His own brothers by the same mother or his sisters'

[1] *J.R.A.I.* xliii. 649.

[2] Munzinger, 319–21, 324, 325.

sons are responsible for this, and for his misdeeds; and they, not his children, inherit on his death. Yet his father is entitled to all a son's earnings until he marries and sets up a new household.[1]

Turning to the west, the Berber woman still vindicates a large measure of independence, going and coming pretty much as she will, frequenting the market, and even mounting her camel and riding off alone to meet her lover.[2] This, of course, is not by itself evidence of any particular form of society; but it is conspicuously wide of Mohammedan teaching about women. The substitution of the mother's name for that of the father in magical and religious ceremonies,[3] the exaction among various tribes of Morocco by the brother and other relatives of the bride of payments over and above the legal "dowry" paid by the bridegroom, and the obstacles to a marriage, or even an absolute veto, by the bride's brother among some of the same tribes, point in the direction of mother-right.[4] The evidence of the Touaregs, or Twariks, in the Sahara and on the great plateau south of the River Niger, is more unequivocal. They have accepted Islam; but that has not altered their high regard for women; it has very little changed the place of women in their social life. Women still assert their liberty and their power. They choose their own husbands, and in some of the tribes earn their dowry by prostitution. They go about freely unveiled; on the contrary, it is the men who are veiled up to their eyes.[5] A man on marriage goes to

[1] *Ibid.* 477, 488, 490, 499, 503, 527, 528. [2] Wilken, i. 267–8.
[3] *F.L.* xxii. 145, xxvi. 236; Doutté, 108, 166; Tremearne, *Ban*, 35.
[4] Westermarck, *Marriage Ceremonies*, 79, 81.
[5] *Journ. Afr. Soc.* ii. 177, 178, 191.

live with his wife. The married women eat before their husbands, for it is necessary for the maintenance of their beauty that they be well nourished. Afterwards comes the turn of husbands and other adult men of the family, and, lastly, that of the children.[1] Descent is still traced through the mother; and if a woman of a noble family marry a man belonging to the vassal groups, the issue of the marriage will be noble. The old solidarity of the family is maintained: all the members are responsible for a crime committed by one. When the chief of a tribe dies, among the northern Touareg the dignity passes to his sister's son; among the southern, all the influential members of his family, including women, meet and nominate among their relations a successor. This is usually, but not always, the son of the dead chief, or in default the eldest son of his eldest sister. The tribe is then convoked, and the choice ratified.[2] The property of a deceased man is inherited by his son, or if there be no son, all the members of the group whatever their degree of relationship succeed.[3] Thus even Mohammedanism has not entirely destroyed the old pagan institutions.

Crossing to the Continent of Europe, traces of a former matrilineal kinship, long since passed away, are discoverable in many directions. Attention to the evidence of traditions in Greece was first directed by Bachofen. If in some particulars he was mistaken, the general conclusion has been abundantly confirmed by subsequent researches; and the existence in prehistoric times of maternal institutions is now established. The story of the contest between Poseidon

[1] Aymard, *Touaregs*, 100.
[2] *Ibid.* 38, 39, 47; *Journ. Afr. Soc.* ii. 179, quoting Barth.
[3] Aymard, *op. cit.* 97, 99.

and Athene for the city of Athens, derived by St. Augustine from the learned Varro, relates that in the mythical days of Cecrops women as well as men took part in public deliberations, that children were named after their mothers, and apparently that through those mothers they became citizens, all of which privileges were lost by the victory of Poseidon.[1] The tale, of course, is not historical ; but it is evidence of a dim memory of the change surviving in the time when it arose. Others record that before the time of Cecrops every one knew his mother, but no one knew his father, because individual marriage did not then exist—a misinterpretation of mother-right by no means singular in ancient writers unfamiliar with any society not based on patrilineal institutions. At Athens, even in historical ages, children of the same father but not of the same mother were allowed to marry,[2] as among the ancient Hebrews. We know from Polybius that the Epizephyrian Locrians, a Greek colony in Italy, reckoned descent through the female line.[3] The myths of Orestes, Œdipus, the Danaids and many others are explicable only by kinship through women. In particular, in Æschylus' *Eumenides,* when Orestes, pursued by the Erinnyes for his mother's death, pleads that he is not of kin to her and wins by the casting-vote of Athene (who was born from Zeus' head without the help of a mother), the Erinnyes are startled and shocked on finding that even the gods decide against them, declaring that these, the younger gods, have overridden the old laws and unexpectedly plucked Orestes out of their hands. It seems clear that both the poet

[1] Augustine, *Civ. Dei*, xviii. 9.
[2] M'Lennan, *Studies*, i. 223, quoting *Leges Atticæ*.
[3] Polybius, xii. v. 16.

and his audience knew that maternal descent was originally the foundation of the social organization, and that it had been superseded by a new law, due probably to the convulsions attending the foreign invasions that founded Homeric Greece. These invasions, however, took place before the dawn of history, and it is not suggested that in historical times "any Hellenic tribe was matrilinear." Almost all that we find is local legends, especially legends in several of the states, both on the mainland of Greece and Asia Minor and on the islands of the Levant, pointing to the transmission of the crown through women, as in Egypt, and isolated local customs and institutions otherwise unexplained. These are all we can expect, for the patrilineal organization had altogether destroyed maternal descent. But how tenacious some of these old local customs can be, we may learn from a custom of the island of Kythnos. There, even to-day, a bride does not leave the parental home, but the bridegroom comes to live with her in it. On her parents' death the eldest daughter succeeds to the house; or if a girl have no prospect of succeeding, she or her family must provide another house, else she cannot obtain a husband.[1]

Etruscan cinerary urns record merely the name and family of the deceased and the name of his mother; and the funeral monuments indicate in this and other ways the social importance of women. We are accustomed to think of Rome as the one place where father-right received its greatest extension. Yet the early legends betray a social and political

[1] Hauttecœur, 17. On the general question of matrilineal descent in Ancient Greece, see, on the one side, J. F. M'Lennan, *Studies in Ancient History* (London, 1886), pp. 195–246, and on the other, H. J. Rose, *Folk-Lore*, vol. xxii. (London, 1911) pp. 277–91.

condition utterly incompatible with the subjection of women from birth to death to a paterfamilias who held in his hands the power of life and death over all his dependants, and with their incapacity to form a link in the chain of descent, still less the starting-point, and to receive or to transmit an inheritance of any kind whatever, which prevailed in later times.[1]

The ancient Germans had passed beyond the stage of matrilineal organization before the days of Tacitus. But the hints given by the historian in his account of them point to their having passed through it. He witnesses to the high consideration in which women were held. They were the companions of the men both in labour and in danger, even in war. They were more: something divine was attributed to them; as soothsayers they were held in the highest honour; as hostages for good faith between enemies, they were of greater value than any men. It may be that Tacitus has emphasized this side of German manners with an eye to the comparative degeneracy of Roman society. Yet as a modern writer has well remarked: "Chip and cut as we will from the testimony of the ancients, this reverence for women, living or dead, stands out a stubborn fact in the German character"[2] — in the ancient German character, however, only; for under Christianity and Kaiserdom this virtue has faded. The German, to be sure, paid a bride-price. Tacitus represents it as paid to the bride herself, somewhat more like the *Morgengabe*, or morning-gift, current in later ages. In any case the bride-price is not an incident only of paternal institutions. The German bride-price may have been paid to the lady's father:; but in the Salic law

[1] Cf. D'Arbois de Jubainville, *Civ. des Celtes*, 314.

[2] Gummere, 141. Cf. the entire chaps. v. and vi.

the recipients of a widow's bride-price (and perhaps also of a maiden's—the text is ambiguous) seem rather to be relatives in the female line.[1] To the same result points the classical historian's oft-quoted account of the uncle's relations with his nephew, according to which a sister's sons are as dear to a man as his own : indeed this connection was esteemed by some as closer and more sacred than that of father and son, insomuch that nephews were more valued than sons as hostages. A man's own children, it is true, were his heirs, and this regard for his sister's children can only be a relic from a prior condition of maternal descent. The Germans were a pastoral rather than an agricultural people : their greatest wealth consisted in their flocks and herds. The kings, whose power was very limited, did not succeed by right of birth, but by election from noble families. Lombard history affords indications of the transmission of the crown by women ; and the pedigree of the Lombard kings is traced from a woman.[2]

The warlike Cantabrians, who kept the Romans at bay so long, were apparently matrilineal in descent. The geographer Strabo tells us that the daughters succeeded their parents, and that they provided their brothers with wives, by which it may be conjectured was meant with the funds to procure wives, who were not brought home.[3] The Basques, descendants of a neighbouring people, preserved until recent times customs, probably remains of institutions such as this. The eldest child, whether son or daughter, inherited. When the eldest child was a daughter her husband came to live at his wife's house with her

[1] Grimm, *Deutsche Rechtsalter*. 420 sqq.
[2] Paul. Diac. i. 3, 17 n. by translator, iii. 35, iv. 42 n.
[3] Strabo, ii. 4, 18.

parents, but played a very limited part in the family, the real power being hers. The eldest daughter was never allowed to marry an heir, nor the eldest son an heiress.[1] Compare the Japanese custom, and the Sumatran custom of *ambel-anak*.

Evidence of the existence of maternal institutions in the British Isles and Scandinavia is very scanty. An examination of the succession of the Pictish kings has been held, probably with reason, to show that they claimed the crown by inheritance through the mother. Irish tradition, indeed, affirms, as recorded by Bede and the native *sennchas*, that the Picts, being short of women, asked for wives of the Irish, and obtained them only on condition that the sovereignty should be descendible through females, and not through males. The story was clearly not understood either by Bede or the Irish writer : both were alike at a stage of civilization different from that implied in the tale. We may surely infer that the Irish as well as the Picts at one time counted descent through the mother alone, and that a dim recollection of this fact is what gave rise to this ætiological tradition. In the same direction points the rule of Irish law, that next after his foster-father and his adoptive father, both of whom bulk largely in ancient Irish customs, the duty of avenging a murdered man falls upon his maternal uncle. Moreover, the position of the mother is inconsistent with strict patrilineal institutions ; nor is the succession recorded of kings and magicians even in pagan times in harmony with that form of organization.[2] It may be said generally that the cult, the

[1] *L'Année Soc.* iii. 379 ; Simcox, i. 213, 461.

[2] The succession of Irish kings seems to have been according to the rule of Nemi. See Prof. Macalister's learned and acute discussion of the subject, *Proc. Roy. Irish Academy*, xxxiv. 326 sqq.

mythology and the sagas as well of Celts as of Germans and Scandinavians, disclose evidence of maternal organization, however it may have been misunderstood and distorted in later ages.

It is related of so many Welsh saints that they were illegitimate children, that it has been sarcastically remarked that the first qualification of a saint seemed to be bastardy. Probably, however, what was meant was only that the name or at least the identity of the saint's mother was preserved, while his father's was forgotten, because descent was traced through women. Both in Wales and in Ireland, to be sure, sexual relations were, as frequently if not usually in that stage of civilization, loose. Marriages were easily dissolved; connections outside the marriage-tie were frequent; and many women lived in concubinage with married men. If a Welsh woman had an illegitimate child, even in historical times, by a man whom she afterwards married, the children born in wedlock had no prior right to inheritance over the illegitimate offspring. Yet a bastard does not seem to be legitimated by the subsequent marriage of its parents: it remains to its mother's family.[1]

The pedigree of the kings of Bohemia, like that of the Lombards', started from a woman. Her name was Libussa. She had two sisters, one of whom was described as a magician, the other as a priestess. The Czech women followed her example in choosing their own husbands, though later marriage by capture developed, and subsequently marriage by purchase. In any case, separation was easy, and freedom in sexual relations was great. The husband did not take his wife to his home, he went to live with her. And it is significant of the high consideration for women

[1] *Zeits. vergl. Rechtswissenschaft*, xxiii. 234.

that a man condemned to death could find an asylum with his wife, from whose arms no pursuer could legally drag him. All property rights were based on the corporate ownership of the kin, which was not finally done away with until the sixteenth century. This ownership presumed in its original form the common life of the kin in a common house and with a common hearth. But the kin outgrew this limitation: it ceased to be a family and became a clan, whose members were found all over the country. So long as the law recognized this corporate ownership there could be no such thing as inheritance, for the ownership did not vest in any individual, but in the entire clan, and consequently was independent of the life or death of the individual. In later times when heirship was established the paternal line gave the heirship to a son in preference to any daughters; but it never went the length of excluding the latter when there were no sons. A daughter who did not succeed as heir had a legal claim, even against her own father or brothers, not merely to maintenance, but to her dowry and marriage-portion. Among the Slavs generally, including the ancient Bohemians, the woman was, in principle—subject to some limitations arising from personal circumstances—by law the equal of the man, both in private life and before the tribunals. The man, however, seems to have been the head of the household, as he often is among matrilineal peoples. All women who were not subject to such a rule were completely free; though, in later times at all events, the consent of the kin was necessary to their marriage in order to secure their marriage-portion, and an elopement was punished by the death of the lover and his willing prize.[1]

[1] *Zeits. vergl. Rechtswissenschaft*, xxiii. 106 sqq.; Kovalevsky, 15, quoting Cosmas of Prague.

The accounts we have of other Slavonic peoples tell much the same story. In the Ukraine, even in the seventeenth century, and perhaps later, men did not choose their wives, but the women chose their husbands, a usage said to be still rife in Bulgaria.[1] It is clear from the folk-songs found among the peasantry that in other parts of Russia also the bride had the power of choice. And still " very often it is the girl's family which makes the first move, its members sending a *Svakha*, or female matchmaker, to suggest the idea of the marriage to the youth's parents." [2] Probably Russia has gone through similar stages to those of Bohemian society, in marriage by capture, and subsequently marriage by purchase. The wedding ritual witnesses to them. In it the bride's brother is a prominent personage. He sits beside his sister armed with a sword, to keep ward over her, and will not give way to the bridegroom or his representative without being well paid for doing so. Indeed, in a wedding-song she prays him: " Dear brother, do not give me away for nothing " ; or again, " Sell not thy sister for a rouble, for gold." Specially close was the tie which united a brother with his sister and her children. Even after agnation had practically become the law, the right of a sister's son to avenge his uncle was expressly recognized in a society which insisted on the right of vengeance by " the relations " of the murdered person.[3] The same close tie between a brother and sister, and between an uncle and his sister's children, exists among the Southern Slavs. A sister swears by her brother, and an oath by the name of a man's sister is held

[1] *L'Anthropologie*, ii. 170 sqq. ; Kovalevsky, 17.
[2] Ralston, *Songs*, 294, 299, 266.
[3] *Ibid.* 274 ; Kovalevsky, 19, 18.

inviolable. Up to quite recent times sexual relations were lax, according to ecclesiastical standards. Communal marriage is charged against both the Czechs and the Russians. Such accusations are often merely indications of mother-right on the part of writers who do not understand it. But there are constant complaints by ecclesiastics of the licentious nature of the peasant gatherings at festivals, complaints probably not without grounds. Moreover, the Russians are charged with endogamous marriages approaching the type practised in Egypt. Endogamy, at least of this kind, was ultimately put down; but, as Professor Kovalevsky has pointed out, the fact that a bridegroom is even yet always spoken of in the peasant ritual as a foreigner coming from a distant country to take away the spouse, is very possibly evidence of the emphasis laid on exogamy in the efforts to put down the contrary practice.[1] Among the Southern Slavs when a family was reduced to a single child, and that one a girl, or to daughters alone without a brother, arrangements were made, and still are, to obtain a husband for the only or eldest daughter, as the case might be, in the person of a youth who, contrary to the practice within historical times, would come to live in the household. He forsook his old parental home and renounced his membership of the family and share in the inheritance, taking with him nothing, unless in some places his father might voluntarily present him with a parting gift of oxen, horse, or money. Such a husband entered his wife's family and in many districts took her surname, which his children also bore. He became a subordinate in her house-community, which frequently included more than one family; hence the position of such a husband

[1] Krauss, *Süd-slaven*, 620; Kovalevsky, 10, 12, 14, 15, 21, 22.

was often by no means enviable. The arrangement, however, necessitated, in Herzegovina and adjacent districts, the consent of the village community, whose rights he was to share.[1] The Slav house-community is a very ancient institution. We found it in Bohemia. In Russia and in South Slavonic lands it has been preserved down almost to the present time. The community owns the corporate property, which is administered by the house-elder, either the oldest or an elected member. He rules the community, subject to its voice expressed in its assemblies, and represents it in the outside world; yet he is little more than *primus inter pares*. All the members contribute their earnings to a common stock, that is expended, together with the produce of the property, for the common benefit. Every member is considered as belonging to the kin, and, in former days at any rate, the community was held jointly responsible for the crimes and misdemeanours committed within the limits of its possessions. Though it has been continued in the paternal line, its origin must be traced to a period when descent was reckoned only through the mother. It remains to be added that women (Russian women at all events) as well as men take part in the deliberations of the community. In Russia women were capable of inheriting the crown; and for centuries they played important public parts.[2]

[1] Krauss, *op. cit.* 466 sqq.

[2] *Ibid.* chaps. iv., v., vi., vii.; Kovalevsky, 49, 55.

CHAPTER XI

AMERICA

WE have thus rapidly run over the Old World and found maternal descent or traces indicating its former prevalence in every part, in the islands of the southern seas as well as on all the great continental areas. Let us now turn to America. In an earlier chapter we have glanced at the condition of the natives of the two extremities of the continent, and have found them in that rudimentary condition natural where the external conditions repress the tendency to develop common not only to all living organisms, but also to all human societies. Where the environment permits or requires for the purposes of protection or food-supply the more or less permanent aggregation of individuals, organization must accompany that aggregation, and social life begins. The Araucanians of southern Chile reckon descent and kinship through the mother. They are a wild and warlike race which for three hundred years kept the Spaniards at bay, and yielded at last rather to the vice of drunkenness than to arms. Although by contact, first with the civilization of the Incas and subsequently with that of the Spaniards, their customs have been softened, the bridegroom still goes through the form of capturing his bride, afterwards paying a bride-price. In this case he takes her to his hut; but if the whole of the sum agreed on with her father or brother be not paid at once, he goes to live with his

father-in-law. Generally, however, he succeeds in paying by putting his entire kindred under contribution. Bride-capture as a form of marriage has been supposed to indicate the former prevalence of exogamy. Until marriage the girls are free to bestow their favours on whom they will. After marriage they have the reputation of fidelity, qualified, however, as among many peoples in the lower culture, by outbursts of unbridled licence at their festivals. The wife is the absolute property of her husband ; and he possesses the right of life and death over the children, " as they are part of his own flesh." It is his own blood he spills if he slay them : consequently no blood-feud arises. Polygyny is practised. When a man dies his eldest son inherits his widows, except the heir's own mother, who is free to marry again. Among some of the tribes, however, the eldest brother of the deceased inherits in preference to his sons. Sometimes the widows are distributed among the brothers of the deceased. There is reason to believe that totemism formerly prevailed. The basis of Araucanian social life is said to be the family, " which develops into a clan, and afterwards a tribe, absolutely independent one from the other " ; whence we may gather that not only the members of a clan, but also those of a tribe, considered themselves as akin. The clan was governed " by the head of the family," but how appointed we are not informed ; the tribe by a chief whose dignity is said to have descended from father to eldest son, but his authority was nominal. He presides at the meeting of the adult males who discuss all important matters in council.[1]

In the heart of the continent the Bakaïri of Central Brazil at a higher stage of civilization trace their

[1] *J.R.A.I.* xxxix. 353–60.

lineage through women. Living in the forest, they obtain the means of existence not only by hunting and fishing, but by the cultivation of manioc. The plantations are common property. Individual property exists only as to movables in the house; and these things descend to the children. As among the Araucanians, the chief's power is not great; the dignity is heritable, descending to the son of the deceased chief and only in default of sons to his sister's son. The parents negotiate the marriages of their children. The bride's father receives a stone axe and some arrows; the bridegroom goes to work with him in the clearing, hangs his hammock in the hut above his wife's, and the marriage is complete. Nor is there more ceremony at a divorce: the will of the wife is enough, even though the husband be opposed to it. Polygyny is practised, but it is not customary to have more than one wife in the same village. A close bond unites a brother with his sister's children. He is reckoned their protector equally with their father; and in case of the latter's death he takes his place with regard to them until they have grown up.[1]

The Bororo on the Brazilian border of Bolivia are still mainly hunters. They also appear to be matrilineal. The men of a village live together in a common house, unless they are old married men, heads of families. The young husband visits his wife only at night. She continues with her children to live in her parents' home, where the young couple are allowed a hearth to themselves. This mode of life goes on until the parents' death, when the husband goes to live permanently with his wife and becomes the head of the household. The proposal of marriage always comes from the lady, and her parents' consent

[1] Von den Steinen, 331; Schmidt, *Indianerstudien*, 437.

is not required: they neither give nor receive anything for the marriage. One traveller says that after marriage the man lives in his bride's house until he has a family of his own, when he builds a hut for himself: possibly circumstances may decide. We are told a curious detail: after the youth has accepted the offer of marriage he delays for a few days, because he is ashamed to be seen entering his bride's house; and occasionally her father fetches him late at night from the men's common house, to protect him from the chaff of his fellows. This sense of shame is said to be heightened if neither of the pair has previously had sexual intercourse. Such a contingency would, however, seem improbable, if the accounts we have of the men's common house be accurate. A chief's power is much greater than among either of the tribes we have already considered; and the dignity is said to be heritable. But this perhaps expresses rather a tendency than a recognized law.[1]

The tribes of the Gran Chaco require the husband to leave his own people and join his wife's kin. Marriage only becomes definitely fixed on the birth of a child: until then it is temporary and provisional. But when once a child is born the pair are considered to be bound to each other for life. Monogamy is the rule: polygyny and polyandry do indeed exist, but on the frontiers and in exceptional circumstances only. Kinship is traced through the mother. The tribes are socialistic; there are no permanent chiefs and no accumulation of property. They are hunters, living a thriftless, hand-to-mouth existence.[2]

It is unfortunate that our information about South American peoples is so fragmentary. Travellers,

[1] Von den Steinen, 501; *J.A.I.* xxxvi. 390.
[2] Grubb, 214, 215–6, 188.

missionaries, even scientific enquirers seem often unable to afford us precise information about the social institutions of the natives. Dobrizhoffer, a Jesuit missionary in the eighteenth century, who lived for fourteen years among the Abipones in the Chaco, afterwards wrote an elaborate work on the country and the people. He so little appreciates the structure of their society that he omits to inform us whether their descent is reckoned through the father or the mother. Yet by his means we can to some extent supplement the information given above from the work of a modern missionary on the Chaco tribes. He affirms that the Abipones have chiefs, whom he calls *caciques*, and that the office descends to a son, but subject to election, when another person may be substituted. In any case the chief has little or no power. Sometimes the chief is a woman: one high-born matron at all events, whom Dobrizhoffer knew personally, was thus recognized.[1] He declares that divorce among the Abipones was as frequent as the changing of a dress in Europe, yet he knew many who had kept the same wife all their lives, and polygyny was a rare phenomenon. He relates, to be sure, that a bride-price is paid, and that the husband is compelled to go and live in his wife's family dwelling, but adds that after the mother has satisfied herself of the probity of her son-in-law, or after the birth of a child, she suffers the young couple to live in a separate house—probably adjacent, though he does not say so.[2] On a death all the utensils belonging to the deceased were burnt, his horses and domestic animals were killed and his house destroyed, consequently there was little or nothing to inherit.[3]

[1] Dobrizhoffer, ii. 100, 102, 105, 108.
[2] *Ibid.* 207, 208, 210.
[3] *Ibid.* 273.

In Guiana the Arawaks, who are exogamous, trace their kin exclusively through the mother; and no intermarriage with the mother's kin is permitted, but a child may marry into his father's kin.[1] Before marriage a youth is required to undergo various tests of bravery and endurance. Children are frequently betrothed at an early age, but this hardly hampers their freedom of choice when they grow up. As among the tribes of the Gran Chaco, husband and wife may separate at any time before a child is born; the union then becomes a definite relation. A bride-price is paid, either in commodities or services. When the marriage is once arranged the bridegroom goes to live with his bride's family, whose head he obeys and for whom he is bound to work. If his children increase to such number that the young couple cannot remain any longer conveniently housed under the parental roof, the husband builds a new hut by the side of his father-in-law's.[2] The Arawaks live in isolated settlements consisting of one or more houses in the depths of the forest, or in the savanna. If only one, the father is the head of the family; if there be more houses than one the authority is vested in a headman, generally the most successful hunter, without any formal authority, yet implicitly obeyed. There is no tribal chief.[3] The medicine-man is an important figure. By the influence and wealth he achieves he is able to indulge in polygyny, which the Arawaks in general do not practise. It is said that the office is hereditary, passing to the eldest son. There would, however, hardly appear to be a definite rule, though it is probable that a medicine-man would confide the secrets and mysteries of his profession preferably to a

[1] Im Thurn, 185. [2] *Ibid.* 221, 222. Cf. *R.B.E.* xxx. 314.
[3] Im Thurn, 202, 211.

son whom he had brought up and whom he could trust.[1] On death—at all events, of an important man—the settlement is deserted and a new one built elsewhere. We may suspect that there is little other property to distribute among the survivors, after putting into the grave the usual grave-furniture.[2]

The social condition of the Caribs is similar to that of the Arawaks, except that there is a trace among them of marriage by capture. But in general they marry in the same way as the latter. And we are definitely told that a woman does not escape by marriage from subjection to her own family, who continue to claim authority over her.[3]

The tribes of the Issa-Japurá basin, north of the River Amazons, have advanced to a somewhat higher degree of civilization. Living in the dense forest, their social unit is an undivided household community of from sixty to two hundred individuals. These communities are independent of one another, each ruled by a chief who is elected by the household. He is usually (but not always) a son of the deceased chief It follows that the houses to contain such a household must be larger and of better construction than those of the tribes of Guiana. In the arts of basket-making, mat-weaving and pottery they do not seem to have progressed much beyond the latter. Marriage is exogamous, so far as the house-community is concerned, because all members of a household are deemed akin. The wife is brought to her husband's household and lives with him there. Women as a rule are well-treated, but they hold a distinctly subordinate place to their husbands. Descent is strictly in the paternal

[1] Im Thurn, 334, 340; *R.B.E.* xxx. 333.
[2] Im Thurn, 225; *R.B.E.* xxx. 159.
[3] Brett, 353; M'Lennan, *Studies*, i. 34, citing Humboldt.

line. A man may marry into his mother's original household, but not into his father's household, for he himself is a member of it. It is only done in the case of a daughter of a chief who has no sons to succeed him. The medicine-man is the only member of a community whose power rivals that of the chief. A recent traveller speaks of traces of maternal kinship, but he does not vouchsafe to tell us what they are.[1]

Of the more civilized peoples of the mountain-ranges called the Cordilleras and the Andes we might have hoped for fuller information. All such hopes, however, have been frustrated by various causes, among which the most prominent are the bigotry of the Spaniards, their greed and contempt for the conquered tribes. In the north the most advanced were the Chibcha, the seat of whose chief government was at Bogota. The ruler of Bogota was an absolute monarch. The monarchy was descendible in the female line, first to the son of a sister, and in default of such a son to a brother, the sons of the deceased receiving only a portion of his personal property. The Chibcha worshipped a number of gods, chief among whom was the Sun. Their religious ceremonies were elaborate and necessitated an organized priesthood. This, too, was hereditary in the female line. Their institutions seemed to have approached full mother-right. It is true the bridegroom had to pay a bride-price to the bride's father. But the Chibcha wife was by no means subordinate to her husband. We are told she could even inflict a beating to the extent of six lashes on her husband. The Chibcha were polygynists. The first wife married, however, had great power. She might on her death-bed require that her husband should observe continence after her death for a limited period

[1] Whiffen, 48, 63, 65, 66, 68.

up to five years. Whether marriage was matrilocal we are not told. But a woman seems not to have been lost to her family by her marriage. For if she died in childbirth, and the child were not saved, her husband was compelled to pay compensation to her kin, to one-half of his property. Some tribes were exogamous; among others various degrees of relationship were forbidden in marriage; among some, to wed even a sister was not prohibited. Details are not forthcoming which might have explained more precisely this statement.[1]

If we know little of the Chibcha we know still less of the other tribes of the north-west. The most notable of them was that of the Cara, the dominant power about Quito. Their feudal monarchy is said to have descended to a son, or failing a son to the son of a sister, but it seems to have been subject to election by a national assembly. That is all we are told. From what we can gather of the more or less legendary history, it must be suspected that the Cara were slowly emerging from an earlier stage of mother-right, which was not understood by the Spaniards, into patrilineal kinship.[2] South of them the Puruhaes, occupying the present province of Chimborazo, were still organized on the basis of female kinship, for the succession of their chiefs was transmitted to the sister's son. The other tribes had perhaps advanced to male kinship; but our scanty information does not allow us to affirm it with any confidence.[3]

On the contrary, we know that the great military empire of the Incas, the most highly civilized in South America, rested on a patrilineal basis. If language

[1] Joyce, *S. Am. Archæology*, 19, 22, 23, 27, 32.
[2] *Ibid.* 59, 54; Verneau, *Ethnog. Ancienne*, 20.
[3] Verneau, 25.

be a test, the dominant race was of two closely related stocks, the Aymara and the Quichua. The leadership of the Incas had welded these two stocks together, and imposed an autocratic rule over a large territory inhabited by a number of subject peoples. Part of this area had once been occupied by a more ancient civilization of which almost the only remains are certain megalithic monuments. Nothing has survived to tell us who were the builders of these monuments, what were their relations, if any, with the Incas, or what were their institutions. The Peruvian peoples whom the Spaniards subdued were agricultural and pastoral: they terraced and cultivated the slopes of the mountains and maintained large herds of llamas and vicuñas. They were settled in *pueblos*, or villages. The unit of society seems to have been the clan, of which two or more were generally found in each pueblo. There is reason to suspect that the patrilineal system of the Inca civilization was developed from an earlier mother-right. The clans were totemic; and totemism, though often found with male kinship, takes its rise under maternal institutions. Tradition, moreover, declared that in the old times men and women cohabited like beasts; and the establishment of stricter marriage-laws is attributed, together with other civilizing regulations and the abolition of the older and more barbarous customs, to the Incas. Such traditional assertions of promiscuous licence usually mean no more than the prevalence of matrilineal organization, which is misunderstood by those who live under a different system. Finally, the growth of paternal out of maternal kinship probably accounts for the marriage of the king, or Sapa Inca, to his sister, as in Egypt. It was the issue of such a marriage who succeeded to the throne,

" for otherwise they affirmed that the prince might be bastardized through his mother " ; and failing the issue of such a marriage the eldest legitimate relative of pure blood inherited.[1]

Little can be gathered of the social organization of the Central American tribes at the time of the Conquest, and for the same reasons as those which we have seen have rendered so imperfect the knowledge of that of Peru and the north-west of South America. The aboriginal tribes of the New World who have been most completely studied are those of the vast area now comprised in the United States and Canada.

On a group of islands in the Gulf of California, but never yet reduced under the dominion of any civilized power, dwell the Seri, untamable savages, among the fiercest, the lowest and most miserable of the human race. Living in constant warfare, supporting themselves by the chase or the collection of shell-fish, they are always on the edge of famine, and are frequently reduced to inconceivably nauseous expedients to find food. They are organized on strictly maternal lines. Mother-right in its widest significance is their polity. So unapproachable are the Seri that scarcely any white explorers have been able to get into peaceable contact with them. If the single report we have upon them may be trusted, they go near to presenting that ideal institution, a matriarchate. Almost everywhere else, even among peoples where women have most power, they have submitted to the intrusion of mere men into the region of government. Their Seri sisters would scorn the yoke. Men may be their providers and defenders—they may hunt and they may fight : it is their duty. They may even perform the function, though it is not by any means confined

[1] Joyce, 100, 154, 85, 110 ; von Tschudi, 184.

to them, of medicine-men, or shamans. In this capacity, or as war-chiefs, they may dominate the movement of groups, but internal affairs, never! The matrons participate with them in what we may call judicial and legislative functions. The executive power of the family seems to be exercised by the mother's brothers only through or in conjunction with her. And when she is a shaman of repute she is more reverenced than any man. To such an extent is this reverence carried that one of the most important considerations in the selection of the chief of a band is his consort's reputation for "shamanistic potency." The very name of the tribe expresses the predominance of woman. Seri is a foreign appellation: the native name is *Kunkaak*, which appears to mean womanhood, or rather motherhood. "The tribe," Dr. M'Gee tells us, "is made up of clans defined by consanguinity reckoned only in the female line. Each clan is headed by an elder-woman, and comprises a hierarchy of daughters, granddaughters and (sometimes) great-granddaughters, collectively incarnating that purity of uncontaminated blood which is the pride of the tribe." The masculine element is merely supplementary to this. The huts are temporary shelters of the rudest kind. However rude it may be, both the hut and its contents belong exclusively to the matron. Her brothers, indeed, are entitled to places in it. In comparison with them a husband has no rights there. If there, his normal place is the outermost in the group, where he acts as a sort of outer guard or sentinel. Marriage, the permanent union of man and woman, is recognized. The candidate for a lady's hand, when provisionally accepted, after lengthy discussions, by the girl and her mother and matronly relatives, is required to submit to a year's

probation of the most arduous and exacting character. He must give proof of his ability and success in the chase. While himself continent, even when sharing his bride's tent and sleeping-robe, he must recognize without a murmur her right to receive "the most intimate attentions" from his clan-fellows. At the close of the year, if still approved, he provides a feast and becomes a permanent guest in his bride's hut. As her husband, he is endowed with great personal privileges, the reward of his constancy and of his efficiency as a provider and protector; but in regard to her family and domestic affairs he is wholly subordinate, without any authority even over his children. Such domestic authority as a man possesses —and it is not great—relates not to his wife's household, but to that of his mother and sisters.[1]

Within the borders of the United States the Pueblo peoples of Arizona and New Mexico are among the most interesting of the aborigines. In spite of their unfavourable surroundings they are far above the Seri in civilization, inhabiting solid, stone-built dwellings, clustered tier above tier along terraces, ledges, and the brows of the bare, flat-topped hills characteristic of that arid region. They are agriculturists, and the need of rain has developed, if it has not produced, a highly complex religious ritual. They are organized in exogamous totem-clans, descendible only through women. Marriage is monogamous. The husband quits his own family and goes to live with his wife's, his labour goes into their stock. Among the more conservative tribes, like the Hopis, the lady exercises the right of choosing her husband; and the offer of marriage comes from her, or, if she be too shy, on her behalf from her mother or some other relative. It is

[1] *R.B.E.* xvii. 168*, 269*–79*.

frequently preceded by intercourse of so intimate a kind that its results can no longer be concealed. But this does not affect her character if it lead to marriage. Indeed, if it do not, it affects very little her chance of marriage later on ; and since any child she may bear belongs to the mother's family there is no distinction between bastards and children born in wedlock. Divorce is easy. If the husband find his position becoming intolerable, he simply leaves his wife and goes back to his own relatives, with whom his real home is. On the other hand, if she be tired of him she takes the opportunity of his temporary absence to lay all his personal belongings outside the door : he takes the hint and does not intrude upon her any more. The women own the houses, the crops, the sheep and the peach-orchards,—in fact everything relating to the economy of the household, except the horses and donkeys, a modern acquisition introduced by the Spaniards, whose use lightens the labour of the man. The Zuñi are more advanced. They have taken a few hesitating steps towards patrilineal descent, or at all events towards freeing themselves from their strict maternal kinship. The husband is still no more than a permanent guest in his wife's household. Yet he is capable of ownership of land and other property, and upon his death his children, boys as well as girls, share alike what he has left behind. The individual still belongs to his mother's clan. His relation to his father's clan is, however, beginning to be recognized. He is called " a child " of his father's clan. His father's mother officiates at his birth, performing certain ceremonial functions. To marry into one's mother's clan is incest. Marriage into the father's clan, though not incest, is now also disapproved : one who does so is told : " You are no better than a dog or a donkey."

In short, clan-kinship is giving way to blood-kinship. The totems are among the Pueblo peoples generally becoming transfigured into gods, and priesthoods are being developed. Among the Zuñi, if these priesthoods still stand in marked, but variable, relation to the clans, the terms of admission to them are growing more liberal, and the relationship of father and son has some preference in appointing a successor to a vacant high office. Fraternities, or ceremonial societies, have arisen throughout the Pueblo peoples. They were probably in origin connected directly or indirectly with the clans, though membership was purely voluntary. But among the Zuñi it is clear that now "it is blood-relationship, and beyond this common home-life that most frequently determine choice of fraternity, not clan-pertinence." [1]

Some communities of the Tewa, another Pueblo group, reckon descent through the father only, others through the mother. Marriage is, however, still matrilocal, and sexual intercourse often, though more rarely than formerly, precedes it. Even where descent is still matrilineal not only the children of two sisters, but also the children of two brothers and those of a brother and sister are all equally debarred from intermarriage.[2] The width of this prohibition is significant of transition.

Far away to the north-east, between the Great Lakes and the Atlantic Ocean, another agricultural and matrilineal people was in the seventeenth and eighteenth centuries the centre of the most remarkable confedera-

[1] *R.B.E.* xiii. 197, 340, 368; xxiii. 293, 304, 290; *Am. Anthr.*, N.S., vi. 634; i. 260; and *Zeits. f. Ethnol.* xxxvii. 629; Bourke, *Snake-dance*, 135; Voth, *Trad. Hopi*, 67, 96, 133; *Mem. Am. Anthrop. Assn.* iv. 256; *Anthrop. Pap. Am. Mus. N.H.* xviii. 154.

[2] *Am. Anthr.*, N.S., xvi. 269 sqq.

tion ever contrived by a society in the same plane of evolution. The League of the Iroquois, planned and carried out by men who had the real instinct of statesmanship, embraced six great tribes or nations. It proved of remarkable tenacity, held at bay not only the surrounding aboriginal tribes, but also the French and English for nearly two hundred years, and only succumbed at last to the irresistible pressure of the United States. The Iroquoian polity may be described as mother-right in the fullest acceptation of the term; and the Huron polity was similar. The Iroquois were divided into eight totemic clans arranged in two phratries. Descent was in the female line. "The children," we are told, "belong only to the mother and only recognize her. The father is always like a stranger to them."[1] Both polygyny and polyandry were forbidden, but divorce and voluntary separation were common. Marriage was exogamous; that is to say, all marriage within the clan was prohibited and was regarded as incestuous. The people lived in permanent villages, each consisting of one or more "long-house," every such house being owned only by members of one clan. It was, in fact, owned and ruled by the women. Even marriage was under maternal control. It was usually settled between the mothers of the bride and bridegroom, who were duly informed when it had been arranged, and did not venture to object. They were more submissive than candidates for matrimony generally are in mother-right. If we may interpret (as presumably we may) Johnson's words as including the Iroquois, the brothers and maternal uncles of the lady were consulted in the proposed match, but not her father, save as a compliment; for his approbation or opposition was of no

[1] Charlevoix, *Journal*, v. 393, 394–7, 424.

avail, and in fact he never troubled himself about the matter. On marriage the husband took up his abode as a permanent guest with his wife and her clan ; and in case of divorce he could be ejected with only his personal goods, such as clothing, blankets and weapons. Meanwhile he brought the products of his skill in hunting as a contribution to the household supplies of his wife and her family. The long-house was partitioned off into apartments, each containing a fire at which two families were accommodated, one on either side of the hearth. The supreme power of the League was entrusted to a Council of fifty sachems. The descent of the sachem-ship was hereditary in the clan. When a sachem died or was deposed, a new sachem was elected from the same clan, usually a brother or a sister's son of his predecessor. Most of the property was owned by the house or the clan, and consequently was not subject to transmission on the death of an individual ; but private property might be accumulated. If so, on his death it was taken by his own relatives : his children were not of his kin, and were not entitled to inherit. This property, however, was small—probably little or nothing beyond articles of personal use. Women attended the meetings of the various councils which governed the League and its component tribes and clans. Their influence on such occasions does not seem to have been so direct as that of the Seri or the Pelew women. The polity of the Seri and the Pelew islanders was scarcely distinguishable from matriarchy. The polity of the Iroquois came far short of this, though the women doubtless exercised great and continuous influence.[1]

[1] Morgan, *League*, i. 75, 79, 110, 312, 315, 307; ii. 271 sqq. ; M'Lennan, *Studies*, ii. 339, quoting Johnson ; Charlevoix, *Journ.* v. 418 sqq., 425.

The other aboriginal tribes who roamed the woodland and plains of the North American continent were in various stages of social organization. I have shown elsewhere that both in the Siouan and Algonkian tribes a careful analysis discovers traces pointing directly to prior matrilineal institutions, even when they have long been abandoned in the face of a progressive advance of father-right.[1] The Jesuit missionaries of the seventeenth and eighteenth centuries, who were chiefly in touch with Algonkian peoples in the east of Canada and the United States, and who have told us so much about them, have rarely stated specifically how they reckoned descent. Of the Montagnais, an Algonkian tribe which occupied a large territory in what is now Labrador and Quebec, however, we are definitely told that they were matrilineal.[2] The Delaware, lower down on the Atlantic side of the continent, and their cognate tribes were matrilineal also. At a much later date the Shawnee, who had then become patrilineal, retained amid the break-up of the older institutions vestiges of maternal descent. Among the Menomini, who then reckoned descent through the father, less than a century ago it was reported that the succession of hereditary chiefs was oftener in the female line, and a little earlier property was still inherited not by the children of a man, but by his brothers and sisters and maternal uncles. The Ojibwa and Potawatomi are totemic, exogamous and patrilineal. It is, however, interesting to note that the word *totem* has been adopted into English from the Ojibwa and cognate dialects to express the symbol of a clan, generally an animal or plant to which the members of the clan are mystically related. It

[1] Hartland, *Mem. Am. Anthrop. Assn.* iv. 28 sqq.
[2] *Jes. Rel.* vi. 255.

comes from a native word signifying the consanguine kinship existing between uterine brothers and sisters, that is to say, the clan.[1] In earlier times, therefore, the clan must have had maternal descent. And this is confirmed by other evidence. Indeed, we know that less than a century ago the succession to the sachem-ship was in the female line. Since the Ojibwa, the Potawatomi and the Ottawa were originally one tribe, there can be little doubt that the organization was the same in all three.

Among the Sioux tribes the evidence is more plentiful. The Mandan, Hidatsa and Crow still do, or did lately, count descent through the mother. The Omaha, Ponca, Osage, Kansa and Quapaw were originally one tribe; their institutions, therefore, were the same. All five have now adopted the reckoning of kinship through the father. But they preserve relics of maternal descent. The Omaha forbid marriage in the same gens; not only so, but husband and wife must not be "of close blood relation through their mothers." The Osage go further, and exclude the entire gens of the mother, as well as that of the father. This is incomprehensible except as a relic of matrilineal kinship. The Omaha do not require the husband to enter his wife's home, but he became for a year or two subordinate to her father, who "was sometimes a tyrant over his son-in-law's affairs." Wherever the young couple dwelt, the tent or dwelling always belonged to the woman, together with all those things which pertained to the household. The husband in fact had nothing but his articles of personal use or ornament, as we found among the Iroquois. The mother's brother occupied a special position towards her children, to the extent even of infringing the law

[1] *Handbook*, ii. 787.

of the blood-feud by interfering to protect them or avenge a wrong, whereas in strict clan-law it was no business of his, for he did not belong to their clan. Although he had no power over them during the father's lifetime, his claim arose after the father's death. When a man died his brother was under obligation to marry the widow. This involved the care of the children. But if both father and mother died, and the former left no brother, the mother's brother had full control of the children against any other relative of the father.[1] This is quite contrary to patrilineal institutions. Among the Osage the consent of the mother's brother was necessary to the acceptance of a proposal for a girl's marriage; and the ceremonies seem to indicate that the husband went to live with his bride.[2] From Captain Carver's *Travels* we gather that maternal kinship was by no means obsolete among the Winnebago in the third quarter of the eighteenth century; and the traveller even found a woman as chief. A man still lives with his wife's relatives for the first few years of marriage. There is, too, a particularly close relationship between a man and his maternal uncle. He can take liberties with him which he may not take with his paternal uncle and aunt, or with his maternal aunt. On the other hand, he is required to attend his maternal uncle as a servant, and on the war-path he must even die if his uncle be slain or captured.[3]

There is no space to discuss the other tribes east of the Rocky Mountains even in the sketchy manner in which we have dealt with the foregoing. Some,

[1] *R.B.E.* xxvii. 324–6, 362, 363, 214, 370; *Am. Anthr.*, N.S., xiv. 127.

[2] *Am. Anthr.*, N.S., xiv. 128 sqq.

[3] Carver, 32, 259; *Am. Anthr.*, N.S., xii. 213.

such as the Seminoles of Florida and the Natchez, were confessedly in the stage of maternal kinship. More were patrilineal. But in all the patrilineal tribes a close examination will discover traces of institutions at variance with paternal kinship and only to be explained as relics of a prior organization on maternal lines. Crossing the Rocky Mountains we are confronted by a large number of stocks crushed into a comparatively small area. An examination of the languages spoken has recently suggested that it is possible to reduce the number of linguistic stocks considerably. If the attempt prove ultimately successful, it may enable us to solve many of the puzzles that California offers to the anthropologist. Hitherto it has seemed as if many tribes had been driven together in what are now the States of California, Oregon and Washington, probably as the result of movements like those that are known to have taken place repeatedly in other parts of the continent.[1]

Such tribes are often found destitute of the social organization of other branches of their stock. Thus, several branches of the Athapascan linguistic stock are found in California. Among them is the Hupa tribe, settled on the Trinity River, Humboldt County, California. They live on the produce of the chase, and on roots and fruits gathered chiefly by the women. They live in villages, the inhabitants of each village being related to one another; and since a girl on being married was taken away to her husband's home, this relationship is predominantly on the paternal side, though they also recognize female kinship. Unlike the Navaho of New Mexico and Arizona, another branch of the same stock, they have no clan-organiza-

[1] But see *Am. Anthr.*, N.S., xvi. 410–1; *Univ. Cal. Pub.* ii. 3, 81; viii. 221; xiv. 251.

tion,[1] whereas the Navaho social institutions are those of the matrilineal clan. The Navaho clans are not now, however, totemic; whether they were so formerly is perhaps a question. There are reasons to think they were; but the matter is not free from doubt. Kinship through the father is now also recognized to the extent of prohibiting marriage in the father's clan and "phratry."[2] Of the northern tribes of the same stock our information is fragmentary. Among the Sekani the girl's mother's consent, rather than her father's, seems to be required to her marriage, and the marriage is matrilocal; both of which point to matrilineal institutions. The Carriers, on the other hand, are patrilineal. Yet even among them the husband goes to reside in the communal dwelling of the wife, and her maternal uncle is the intermediary through whom the marriage is negotiated.[3] More exact information is wanted about these tribes. At present it looks as though the original organization of the stock was that of the matrilineal clan, which the Hupa in the course of their wanderings have lost. And the same probably applies to other stocks and clans.

British Columbia, the adjoining state of Washington and the American territory of Alaska are inhabited by a number of tribes of various stocks, the Salishan linguistic stock predominating in the south. All these tribes have an advanced culture, and a very remarkably developed art, though all are still in the stage of barbarism. The coastal tribes have acquired wealth. Social ranks and classes have grown up; and society is much more complex than in the interior of the continent. As is the case farther south, many

[1] *Univ. Cal. Pub.* i. 58.
[2] Matthews, *Nav. Leg.* 33.
[3] *Anthropos*, v. 982.

of the tribes appear to be immigrants. The organization of the Salish tribes, which occupy the south of British Columbia and the north of Washington, is founded, like that of the Hupa, on the village community. The interior tribes are democratic, but the coastal tribes have developed an aristocratic society. The change in organization may be traced progressively from East to West, and is probably due to their migration, which has caused the disappearance of the clan-organization and favoured the substitution of classes. The most remarkable tribe farther north is that of the Kwakiutl. It has been carefully investigated by Professor Boas and other enquirers. The northern division of the tribe, known as the Heiltsuk, is predominantly matrilineal, though innovations have been introduced, and parents are now at liberty to place their children in either the paternal or the maternal clan. They have not entirely abandoned the older totemic clan-organization which continues to rule their neighbours, the Haida, Tlingit and Tsimshian. The southern Kwakiutl, however, have more complex institutions, admittedly very difficult to understand. As Professor Boas says, " It appears that in consequence of wars and other events, the number and arrangement of tribes and gentes have undergone considerable changes." It has been claimed for the southern Kwakiutl that they exhibit a transference in process from patrilineal to matrilineal descent. If this could be proved it would be unique, so far as is known, in the history of mankind. The process in fact appears to be rather the abandonment of true clan-organization and of totemism, in favour of an organization based upon village communities, complicated by the growth of a social hierarchy, depending partly on wealth, partly on descent and

the ownership of the crest and legend of a distinguished ancestor, and partly on certain privileges in connection with the magico-religious celebrations which take place in the winter, when the entire community is transformed for the purpose of these celebrations. The clan-organization is not yet entirely superseded: its lines are being obliterated. "A child does not belong by birth to the gens of his father or mother, but may be made a member of any gens to which his father, mother, grandparents or great-grandparents belonged," simply by receiving a name belonging to the gens in question: a practice similar to that recorded of the Shawnee and other tribes whose gentile organization is breaking up. Among the Kwakiutl, however, with the name the child inherits the wealth of the ancestor who belonged to the gens, and is entitled to payment of all the ancestor's outstanding debts, of which a large part of Kwakiutl wealth consists. A man may belong at the same time to more than one gens and thus enhance both his wealth and his social consideration; and chiefs are sometimes members of many gentes, and even of several tribes. The starting-point and the exact course of the evolution have yet to be discovered. All that can be said is that at present there is no reason to suppose that in these respects the Kwakiutl differ from the rest of the world.[1]

[1] A full discussion on the tribes of British Columbia will be found in Hartland, *Mem. Am. Anthrop. Assn.* iv. 49 sqq., and the authorities there referred to.

CHAPTER XII

CONCLUSION

HUMAN society is a complex organism, and its history is one of growth and evolution. Out of a common humanity every people has developed a special life of its own, with special characteristics and special institutions. This life, with its peculiarities, is an outcome of its history. Unless we know something of its history we cannot really understand the phenomena it presents. Like other organisms, a people is everywhere influenced, and to a greater or less extent moulded, by its environment. By environment I mean not only the outward and physical environment of climate, soil and sea, of wild beasts and domesticable animals, of forest and fruit-tree and cereal; it is influenced at least as deeply and permanently by its human neighbours, whether friendly or hostile, by their mental and spiritual characteristics and the "atmosphere" they create and diffuse. To understand its institutions it is not sufficient to enumerate and describe them, to note that some of them are in conflict with others, and that this is a phenomenon found among other peoples in a similar stage of culture. For these institutions are an inheritance from the past, and are only to be explained by investigation into the past. If, for example, we want to know why the English and Scots, two nations of common origin, now united under a common government and in so much of

common aspirations and common ideals, are yet in many respects so different; if we ask why the English and the Scots possess two state churches so divergent in their features, why alone of all English-speaking peoples they possess state churches, and why the English state church in particular is so remarkable a deviation from the democratic polity of all English-speaking peoples: we can only answer these questions by a reference to the history of the nations in question and of their institutions. The history in this case is written, and we can trace it through a succession of contemporary records. But when similar questions arise as to the lineage and evolution of the institutions of peoples who have no written history, we have to pick out the answer as well as we can by what is called "an intensive study," by careful analysis of their general polity and of those of their neighbours, and by what we know of the evolution of other peoples with similar institutions or in a similar stage of civilization. This is the problem set before students of the social organization of nations in the lower culture, and this is the method by which they attempt its solution.

Starting from the postulate of evolution I have tried to exhibit and explain the facts relating to matrilineal kinship, a form of social organization undoubtedly very ancient, still found among some of the lowest races now extant, and not entirely absent even among some civilized peoples. Whether every branch of mankind has passed through the loose and rudimentary forms of organization, such as those of the Yahgans and the Eskimo, we do not know. Certain it is that they are only to be discovered at the present day in tribes at the very extremities of the habitable earth, perhaps driven thither by the

pressure of better organized and more martial tribes, or else in lowly and isolated peoples not yet thoroughly studied. Such rudimentary forms of organization may be presumed to be the product of their special environment; or if natural in the earliest efforts of human communities towards organization they may have been prolonged by that environment.

Speaking of mankind generally, it seems clear, from all that we know, that the earliest kinship to be recognized was that of mother and child. The corporal relation between mother and offspring is patent from the first, while the recognition of that between father and child depends upon physiological knowledge and reasoning, which are even yet not achieved by some of the lowest races. Indeed, traces of the ignorance which ascribes pregnancy and birth to everything but their true cause are so widespread that we can only suppose it to have been at one time universal. When, therefore, kinship became a matter of social regulation the father was probably not in the reckoning. Even yet the habits and practices of nations in a stage of civilization very far from the lowest are such that the actual paternity must always remain in doubt in a large proportion of cases. What is important in patrilineal communities is to provide a parent to whom the paternity of a child can readily be ascribed with certainty for social purposes. Paternity is thus a social convention; and community and individual are alike indifferent whether it does or does not approximate to the facts. The husband who resents his wife's adultery as stealing is so little moved by the fear of its tainting the birth of his wife's offspring that he will actually contrive her union with another man, in the hope that it will result in children whom he will call his own, to whom

he will leave his property, and who will fulfil the ancestral worship and other religious and social duties incumbent on them as his descendants.

The rise of patrilineal out of matrilineal kinship may be ascribed to a variety of causes, all operating in the same direction in the course of the evolution of culture. The causes in Australia have been already discussed. Another cause would operate in the case of a migration, in which an immigrant band of men effected matrimonial union with the native women, whether after hostile or peaceful relations with the invaded populations. The invaders, if hostile, may have had a conqueror's desire to appropriate to their exclusive use the women with whom they entered into relations. In any case they may have been impatient of the distinctions and regulations of native society. And they may have desired to designate and to bring up in special relation with themselves the children whom they regarded as their own progeny, or over whom they claimed ownership. This would have resulted, as Dr. Rivers has shown in the case of Melanesia, in a simplification of the social divisions, and in the introduction of a new system of kinship through the father. The individual capture of women would act in the same way: the women captured would be compelled to live with their captors, and after a little experience of them they might, like the Sabine women, prefer to remain with them. This would not of necessity issue in patrilineal kinship and father-right, but it would have a tendency to do so, and in favouring circumstances it might issue, as at Rome, even in the extremest form of patriarchy. The movements of peoples in prehistoric times can rarely be satisfactorily traced. But they must have been innumerable on every continent and over every

sea. These movements, with their coming and going, their fightings and slaughter, their captures and subjugations, their changes of scene and environment, their encounters with strange peoples, their minglings of race and custom, their settlements and new occupations, must have had an immeasurable effect on the organization of the most conservative peoples. The arrogance of conquerors, the submission of the conquered, the compromises of contending cultures must have been endless. If we are right in supposing that mankind started with the recognition of the kinship of mother and child—and the hypothesis is put forward not by any means as a dogma, but as the result of the reasoning on ascertained facts—all these changes must have operated to obliterate maternal kinship, to substitute paternal kinship, and ultimately to widen the conception of kinship by extending the directions in which it would be recognized. As matrimonial relations became more and more regulated and defined, kindred on both sides would begin to be recognized. What may be termed social or conventional kinship lags behind individual recognition in language and affection. Hence it is not strange that we find terms of relationship and forbidden degrees emerging to supplement the formal kinship of the clan, and that relationships confounded in the classificatory system are in practice distinguished and identified. Gradually these recognitions and distinctions grow in importance, until finally the clans and their relationships disappear. The goal of the evolution is not patrilineal kinship. That is only a half-way house, and marks the increasing power and authority of men both in the family and the tribe. The true goal is the formal recognition of kinship on both sides, such as is the foundation of society in the

highest civilization, and is reached in a more or less definite shape in a few examples elsewhere.

In a settled agricultural community, like the Menangkabau Malays, the ancient Egyptians or the Iroquois, on the other hand, the influence of women is generally at its highest. Consequently these communities, however advanced in other respects, are nearly always found in the stage of mother-right. In the agriculture of uncivilized races the work is always done by women: the men are employed in hunting or in war, though, where necessary, they perform the heavier work of clearing the land for cultivation, and sometimes of preparing and raising the frame of the dwelling, the completion of the hut being left to the women. The fields and plantations, sown and tended by women, come to be regarded as their own property. The same reason assigns to them the dwellings, the greater part, if not the whole, of the labour of building which falls to them. In such a case the husband enters his wife's dwelling as a guest, or as a permanent inmate during the marriage, to quit it when the marriage is terminated by separation, or the death of the wife, with nothing but his personal baggage—clothing, ornaments and weapons. As the community comes to depend more and more on agriculture this state of things is perpetuated and strengthened, while a different trend of events, or the introduction of a foreign influence, may issue in the break-up of matrilineal institutions and the reconstruction of society on a new basis.

Free choice of a mate is usually allowed under matrilineal institutions, though often subject to the approval of the family or clan; but the tendency of patrilineal institutions and the growth of paternal power is to repress it. Where it is allowed it is usually

preceded by considerable sexual licence. The natural commencement of sexual relations between members of the same community, or adjacent communities at peace with one another, is in visits paid by the man to the woman. They often begin secretly, and may continue nominally so, even in a status which is in effect one of marriage or permanent union. In a maternally organized community there is frequently no distinction between legitimate and illegitimate children, between those of a publicly recognized and formal union and those of unrecognized relations between the parents. All alike belong to the mother's family and are welcomed as an accession to its strength. A bride-price may be paid by the man to the wife's family. If so, at first it is merely the consideration for recognizing the continuance of sexual relations. Later it may become the consideration for allowing him to have exclusive relations with her, to take her to his own abode, and for the ownership of the children and their reckoning to his kin. Meanwhile matrilocal residence gradually develops out of the visits paid by the husband. But there are variations in its actual form, dependent chiefly on the size and arrangements of the dwelling. In an Iroquoian or Bornean long-house it is easy to provide an additional room for a young couple and their growing family. On the other hand, among many tribes, of which the Bororó may be taken as an example, when the children increase they are crowded out of the parental hut. But the husband does not take them and his wife away altogether; he simply removes them to a new hut adjacent to it: the marriage continues to be matrilocal. The drift towards father-right is very often assisted by individual characters or special circumstances. Parents and children, fathers and

mothers-in-law (these especially), and sons-in-law are very human. When among the Banyai, a Bantu tribe of Central Africa whose women play a predominant rôle, a young man marries, he goes to live at the bride's village. He is required "to perform certain services for the mother-in-law, such as keeping her well supplied with firewood; and when he comes into her presence he is obliged to sit with his knees in a bent position, as putting out his feet towards the old lady would give her great offence. If he becomes tired of this state of vassalage and wishes to return to his own family, he is obliged to leave all his children behind—they belong to the wife." But on his paying a bride-price the wife and children will be transferred to him and he can carry them off. Indeed, by doing so in the first instance he could have avoided living at the bride's home in subjection to her mother; but the Banyai do not encourage such an arrangement.[1]

It has been suggested that matrilineal features (matrilocal residence, the influence of the mother's brother, and so forth) might be borrowed by a society which is not matrilineal in form from another society which is. In theory it may be possible (I do not say it is so); but is a concrete case known? The only instance in which it has been even supposed, so far as I am aware, is that of the Kwakiutl; and an examination of the facts entirely negatives the suggestion. Everywhere matrilineal features found in a society on the whole non-matrilineal are the relics of the earlier organization, the wrecks of maternal institutions that have perished. The Touaregs, the Hausas and other tribes of North Africa are known to have been converted to Mohammedanism within recent times. Amid the cast-iron institutions of Islam

[1] Livingstone, *Miss. Trav.* 622.

appear other quite different but firmly rooted customs. These are matrilineal. Can it be contended that they have been borrowed by the Mohammedan tribes from matrilineal neighbours? Can they, in fact, be anything but the ancient native customs which Islam has failed to uproot? The customs of the Indragiri Valley as compared with the Padang Highlands of Sumatra tell the same tale. The Kamanga at Lake Nyassa preserve a tradition of a definite law prohibiting the succession of sisters' sons to the throne. It is probably not literally historical; yet it is evidence of the memory of the change and of the need felt by the natives to explain it. The double kinship of the *eanda* and the *otuzo* among the Herero shows male kinship in the very act of supervening upon female kinship. In West Australia the process of change is to be witnessed day by day. Wherever, in fact, in the Eastern Hemisphere we find a concurrence of matrilineal and non-matrilineal features in the same society, the matrilineal features are always the more archaic.

This raises a strong presumption that what is true of the Eastern Hemisphere will be true of the Western. At least it throws upon assertors of the contrary the burden of proof; and no proof has yet been forthcoming. It is significant that patrilineal and matrilineal tribes are, as a rule, found in contact. It is claimed, however, that there is a hiatus between the areas which reckon unilateral kin, and that the tribes of this hiatus preserve the original indeterminate or bilateral reckoning, out of which unilateral reckoning has grown. But again, can a concrete instance be found in which a people, having once recognized kinship on both sides, and formally for social purposes derived descent on both sides, as would appear to be

the case with the tribes in question, has dropped it in favour of unilateral kinship and descent? The tribes which reckon kindred on both sides are, beside the Eskimo, the tribes of the great plains or of California. It is more likely that they have lost their original organization in the course of their many wanderings and vicissitudes than that they originally had bilateral kinship and have never changed. Indeed, wherever we can trace their history we find change and a gradual abandonment of the gentile system for an organization of a different character. The Blackfoot have been thus transformed; but they still retain matrilineal features. We are less perfectly informed about the Athapascans. As we have seen, however, there are at least traces, even if only faint traces, of maternal institutions among the northern branches of the stock; whereas the southern branch, the Navaho, are definitely matrilineal, and on the other hand the Hupa, a Californian branch, are organized rather as village communities than as clans. It is not a very unusual phenomenon for different branches of the same stock to differ in their organization; in India it is common.

A mere statistical enumeration of the cases in which matrilineal features are present, and a calculation of the proportions of those in frankly matrilineal and those in patrilineal societies, ignores the enquiry how those features originated. What we must rather investigate is the history of each organization, for that is the question at issue. If mankind began by recognizing kinship with the father, the much more patent and undeniable relation with and through the mother must also have been recognized: how then could gentile kinship—kinship on one side only—have emerged? But if kinship with and through the mother was the primeval reckoning, though it might

have taken generations or ages to pass beyond it, it is intelligible that kinship with and through the father might ultimately have arisen through the capture of women, the arrogance of conquerors, the overgrowth of clans or the decadence and dying-out of clans, the mingling of foreign cultures or any of the thousand accidents and adventures involved in wars, pestilences, famines, voluntary and involuntary migrations. Whether the causes of these events were political or economic it matters little for our present purpose: the effect would very often be the same. Paternal kinship thus arising would start as a social convention; but with the lapse of time and the growth of civilization it would inevitably be recognized as a physical relation. That the course of evolution should have been reversed is inconceivable.

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